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Frontispiece.



To His Most
GEORGE III
Great
This Plate is most



Sacred Majesty,
KING OF
Britain, &c.
humbly Inscribed.

A NEW
H I S T O R Y
O F
E N G L A N D,

FROM THE
EARLIEST ACCOUNTS of BRITAIN,
TO THE
RATIFICATION of the PEACE of VERSAILLES, 1763.

HUMBLY INSCRIBED TO THE QUEEN.

By Mr. M O R T I M E R.

Orationi et carmini est parva gratia; nisi eloquentia sit summa: historia quoquo modo scripta delectat.

PLINY, jun.

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MDCCLXIV.

A NEW

HISTORY

OF

THE

REIGN OF

CHARLES

THE FIRST

BY

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MDCCLXIV.

TO HER MOST EXCELLENT MAJESTY,
CHARLOTTE QUEEN OF GREAT-BRITAIN,

THIS HISTORY OF ENGLAND,

FROM THE EARLIEST ACCOUNTS OF BRITAIN,

TO THE RATIFICATION OF THE PEACE OF VERSAILLES,
MDCCLXIII.

IS, IN ALL HUMILITY, INSCRIBED,

BY HER MAJESTY'S MOST DUTIFUL

AND OBEDIENT SERVANT,

WESTMINSTER,
December 31st, 1763.

T. MORTIMER.

TO HER MOST EXCELLENT MAJESTY,

CHARLOTTE QUEEN OF GREAT-BRITAIN,

THIS HISTORY OF ENGLAND,

FROM THE EARLIEST ACCOUNTS OF BRITAIN,

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VOL. III.

PRELIMINARY DISCOURSE.

THE study of History is of all others the most useful and entertaining, when in the pursuit of it we make use of proper discernment to direct us to the choice of such histories alone whose authenticity may be relied on, and in which the events related are of such importance as to merit our attention.

A general knowledge of the history of all nations is justly deemed no inconsiderable part of polite education; but it is an accomplishment which may, with strict propriety, be confined to those alone, who by birth, situation, or capacity, may form reasonable expectations of being called to the management of public affairs—To the rest of mankind the study of universal history is rather likely to be detrimental than advantageous; for the shortness of human life, and the various employments of it, render it impossible for the generality of men to devote so much time to this study as is necessary to enable them to derive those advantages from it which constitute the true use of all history—such as, the improvement of the human understanding—the enlarging our ideas—the removing our early imbibed prejudices—and the attainment of every social virtue; the result of long and unwearied meditations and reflections on the characters we find described, and the general course of events related in history; and without some such improvements as these are made, all study is vain, but chiefly that of history; for if it tends not to make us more useful members of society, and better subjects of the state we live in, it will only serve to render us arrogant, impertinent, prating pedants, or mere antiquaries and sceptics, wasting the short space of time allotted us for nobler purposes, in idle speculations, and nice disquisitions, which perplex and bewilder, but never improve the understanding.

Since then the real benefits that arise from the study of universal history are to be acquired only by long and painful application, which is by no means adapted to the situation and circumstances of by far the greatest part of mankind, it becomes necessary to point out that particular branch of history, which every man may study with propriety, and which few or none ought wholly to neglect; and that is, their own national history; a thorough knowledge of which is so necessary a qualification in the subjects of a free state, that, in this happy region of liberty in particular, the man who is unacquainted with the history of his country will neither prove a loyal subject or a good citizen; for, ignorant of the blessings he enjoys above the subjects of less happy states, he

will neither be zealous himself in the defence of his country, nor kindle the spirit of patriotism in his neighbour: while he who has studied the English annals with care and attention, will be found ever ready to maintain and support the generous plan of freedom handed down to him by his renowned forefathers, and boldly to oppose every domestic and foreign enemy to the civil and religious liberties of his dear country, secured to him by the protestant succession, and firmly upheld at this time by the best of kings.

A thorough knowledge of the history of our country forms us for the commerce of the society we live in; it brings us acquainted with it long before we enter into it, and it gives a just idea of men and their actions, without the fatal consequences that often attend the acquirement of this knowledge from experience: but then, in the study of this history, we must not make the gratification of our curiosity a principal object, lest we should spend too much time in idle and fruitless researches into the intricate mazes of antiquity. The fabulous and traditional, being the conjectural and uncertain part of history, we should but slightly run over, and afford it so little attention as hardly to permit it to dwell on the memory.

The facts which an historian who writes to instruct, and to which the reader who means to improve by the study of history should pay the strictest attention, are such alone as, by their absolute importance and utility, may tend to influence the conduct of the present, or to train up the rising generation to public and private virtue.

All the faculties of the mind should be engaged to mark the first rise, the future progress, and the several changes of our manners, laws, and customs—the origin of our dignities—the establishment of our parliaments, which are the foundation of our civil and religious liberties—to distinguish the several innovations and encroachments that have been made on these inestimable blessings; and to admire the wisdom, magnanimity, and perseverance of those heroes, who nobly opposed every attempt to subvert our excellent constitution, and were the happy instruments of transmitting to the present generation the best system of government in Europe.

Again, our utmost attention should be employed to reflect philosophically on the changes to which human events have ever been subject. A careful review of the most remarkable revolutions that have happened in this land, will furnish us with the strongest motives to public and private virtue; for in them we may see how short and in-

complete have been the triumphs of vice, how permanent and indelible the effects of virtue.—There also we may learn to give credit to this universal truth:—That the utmost efforts of human wisdom cannot secure the fate of one single event, while causes, the most unlikely to produce their designed effects, often succeed to admiration; and to the utter confusion of the boasted power of human prudence, foresight, and precaution.

In selecting the characters we propose as examples to ourselves or society, we must examine them as faithful historians present them to us—at whole length—naked and unmasked—stripped of all that praise and adulation, as well as of that calumny and reproach through which they were misunderstood when living; and in applying these characters, as well as the events recorded in history, to our own or our superiors conduct, the similarity of the case with that from which we take the example, must be strictly scrutinized in every circumstance; for a misapplication of particular characters or events may induce us to form wrong judgments, and lead us into the most fatal errors in public and private life—it may make us bad subjects, bad citizens, and bad men.

Before we yield assent to the truth of any material fact related in any one history of our country, it will be necessary to compare it with another, and not to rest its authenticity on the evidence of any single author; for, besides the defects arising from partiality, many of our historians, through ignorance, indolence, or inattention, have misrepresented, altered, or abridged, many remarkable events, while they have paid too much regard to the useless and uninteresting part of our history: that a right judgment, therefore, may be formed

of characters and facts by just comparison, it seems necessary that a variety of authors should be consulted on this important point.

To enlarge the field of comparison is the design of the present undertaking; in which the author proposes to place in a more conspicuous light than his predecessors, those characters and events which tend most to inform and instruct the present age; and so to arrange the barren unprofitable part of the English history, as to allow it to take up very little of the reader's time.

From about the close of the fourteenth century, the history of our country becomes important and useful for the better knowledge of the present times; before that period the scene is entirely closed, the events that happened, the causes that produced them, and the series of effects derived from them, are ceased, and leave little or no instruction or example for the service of the present age: but soon after this æra new systems of policy were established; new accessions of property took place; a new constitution of government was formed, which totally changed our manners, laws, and customs; and to this change our present method of conduct as a nation in some measure owes its origin. From this period, therefore, the English history must not be read only, but studied with the utmost care and application. The most striking and important events in this modern part of our annals the editor of the present History means to expatiate on and elucidate with candour and precision; for at this æra we began to be what we now are, the happiest people on earth—arrived, as a state, almost to the summit of human grandeur; and as men, to the first degree of reputation for wisdom, valour, integrity, and humanity.

I N T R O-

INTRODUCTION

TO THE

HISTORY of ENGLAND.

THE formidable and renowned island of Great-Britain, the largest in Europe, but not in the known world, as modern authors have asserted *, is most commodiously and pleasantly situated, for the security, ease, and convenience of its inhabitants, as a commercial people, being bounded on the east and west by the German and Atlantic Oceans, which by their union form the British Channel, its barrier, on the south; and on the north it is defended by the Deucalionian Sea: its form is universally allowed to be triangular, and its circumference to contain, including the irregular windings of the coast, one thousand eight hundred and thirty-six English miles: its nearest vicinity is to the coast of France, which lies only eight leagues distant from Dover, in Kent †.

This happy spot, thus admirably secured by nature from the incursions of neighbouring states, is still further indebted to her indulgent bounty for every necessary and convenience of life, and for a temperature of air, which, while the inhabitants lived according to her sober laws, and sought not the destruction of their health by the introduction of foreign liquors, and pernicious drugs, afforded more frequent instances of remarkable longevity, than any other part of the known world.

The origin of the first inhabitants of this island is not to be traced with any degree of certainty; all the assistance that tradition can furnish is vague and romantic; and the only universal and probable opinion is, that it was peopled at various times from different parts of the continent: but the pre-

cise time when this first settlement commenced is buried in oblivion. The earliest account that we can absolutely give credit to, seems to be that of a colony of the subjects of Teutat, king of the Celtæ, embarking from their own coasts, and landing and settling without opposition on the coasts of Britain, not barely with a view to lead a life of indolence and pastoral simplicity, but strongly influenced by a desire of encreasing and extending their commerce, to which they were animated and encouraged by their sovereign, who, on account of his attachment to the commercial interests of his people, was stiled Mer-cur, or Merchant.

It is highly probable, that the first embarkation succeeding, a second took place, and that Teutat encouraged several private families to accompany his trading subjects, the better to establish a settlement in the island: these, and these only, having no concern in the commercial schemes of their brethren, retired to the inland parts of the island, where they formed themselves into a distinct society; and, devoting themselves wholly to a religious life, by degrees became almost a different people from the inhabitants of the sea-coasts, with whom, however, they must have had some intercourse and communication, because they neglected the cultivation of their lands, and consequently must be under a necessity of supplying the deficiency by procuring many of the necessities of life from the inhabitants of the sea-coasts ‡.

In process of time the Belgæ, who were a branch of the Gauls as well as the Celtæ, becoming too numerous on the continent, transported them-

* The island of Borneo is eight hundred miles in length, and seven hundred in breadth; whereas the utmost extent of Great-Britain amounts only to six hundred and sixty miles, and its breadth to four hundred and fifty. Vide *Salmon's Geographical Grammar*.

† The pretended separation of England from France by the Deluge, or some other violent shock of nature, we think unworthy of the least historical credit, being merely founded on the similar appearance of the cliffs at some particular parts of the two coasts, and easily refuted by every judicious navigator, who has surveyed the coasts of Flanders and Zealand from the Dunlow Channel.

‡ Dr. Smollett has taken great pains to prove that Britain was found by the Phœnicians already populous and powerful, some ages before the Christian æra; and tells us, that they built castles, and fortified that province now called Cornwall

for the protection of the traders, and the preservation of their commerce; and further adds, that Meneg, part of Cornwall, is of Phœnician derivation, as well as the names of several of its towns; but this only proves that the Phœnicians first discovered the western part of the island of Britain; and finding on it valuable mines, settled their own countrymen upon it, and erected castles and fortifications to secure them in the possession of it, not against the attempts of the inhabitants, but of the Greeks and Romans, their rivals in navigation and commerce. Had the islanders been powerful and populous, as the doctor asserts, certainly he must have found some traces of a treaty of commerce betwixt the inhabitants and the Phœnicians, or some account of a contest between them before the Phœnicians could make their intentions known to the inhabitants, who must consider them at first as formidable invaders.

selves to the British shore; and being descended from the same original stock as the Celtæ, already established in Britain, and using the same language, manners, and customs, were hospitably entertained, and permitted to settle and intermix with the inhabitants of the sea-coasts.

From some of these new-settlers, we may justly conclude the name of Britain is originally derived; for they preserved a great veneration for the names of the states they had quitted, and bestowed on some of our maritime counties the same names as other counties bore on the continent; and as a large colony of them came from the coasts of Bretagne, it is not improbable that they either became so numerous and powerful, as to give this name themselves to the maritime part of the island, or that the Phœnicians who traded with them gave it that general appellation; at least this conjecture is as well founded as any other on the same subject, which at best is but of little moment*.

The Celtæ, who first retired into the inland parts of the island, never acknowledged the name of Britain, but constantly distinguished themselves from the inhabitants of the sea-coasts, calling themselves Cumri; alluding to their supposed descent from Gomer, the son of Japhet. Julius Cæsar justly imagined that these were the first inhabitants of the island, and describes them as a numerous people; but gives us a very imperfect account of their manners and customs, in which they differed very little from the Gauls for some ages. In their persons they were indeed taller, better proportioned, and more robust: their hair, which was generally yellow, they wore loosely flowing over their shoulders: their faces they constantly shaved, except the upper lip, the hair on which they permitted to grow intolerably long: they stained their bodies with a sea-weed, called Woad, which not only defended the pores of the skin in winter from the inclemency of the weather, but gave them a formidable tremendous aspect. The dress of the nobility and gentry, according to some authors, was a kind of party-coloured plaid, which descended from their waist to the middle of their legs. This they must have imported; for it does not appear that they had the least notion of manufacturing their wool. Those who held any office of dignity wore likewise chains of gold round their necks, and the women bracelets of the same metal; but the generality of the antient Britons had no other covering than the skins of wild beasts, nor any other ornament than a coarse painting of flowers, and figures of animals, on different parts of their bodies. From this account of the slightness of their apparel, we may readily conceive that they were extremely hardy; and, as they delighted in manly exercises from their youth, it naturally follows that they were early enured to hardships and fatigue, and acquired that fortitude and valour which filled even Cæsar and the Romans with astonishment and admiration. Their habitations were a sort of huts or cottages; sometimes formed of boughs, in the

nature of harbours; and at others of mud and clay, according to the season of the year, and generally covered with turf. Their towns and villages consisted of a number of these huts irregularly placed at small distances from each other, and commonly situated in woods, for the conveniency of pursuing their favourite diversion hunting, and of fortifying themselves in these habitations with the trees they cut down and cleared, in order to form their towns. It does not appear that they confined themselves to any particular spot where they erected habitations; but, on the contrary, that they often quitted them for more convenient or agreeable situations; so that very little pains were bestowed on building these temporary huts; and frequently they only set up a number of tents, which they struck when they grew tired of the spot; and thus moved from place to place†, and formed a kind of encampment in different parts of the country, according to the different seasons of the year: in summer they generally inhabited the most fertile vales, which afforded the greatest plenty of pasture and water for their cattle; and in winter they removed to the hilly countries, as being drier and more healthy.

The usual diet of the first inhabitants of Britain was milk; and the flesh of such animals as they killed in hunting; and their common drink was water; but when the Belgæ settled in the maritime parts of the island, they brought with them from the continent a tolerable knowledge of agriculture; and soon taught the inland inhabitants the method of cultivating their land, so as to procure the necessary grains for making that wholesome food, which we to this day distinguish by the name of bread. This they made sometimes of wheat, but most commonly of rye and barley mixed; with this bread they generally eat apples; and, to heighten this plain and simple repast, on particular festivals and occasional solemnities, they drank different kinds of fermented liquors, made of apples, honey, and barley, which they sometimes drank to such an excess, that they grew intoxicated, and were extremely quarrelsome; but this is so general an effect of intoxication, that it is hard to distinguish it as the characteristic of any particular people‡.

Though the natural abundance of the island afforded them a most extensive variety of food, yet they were either ignorant of the proper use of many of the gifts of nature, or abstained from them on religious principles: to their ignorance of the method of making it, we may ascribe their want of butter and cheese; and to their superstitious veneration for domestic fowls and animals, their breeding of hares, geese, and hens, which they never destroyed upon any occasion. To the same cause we may attribute their abstaining from all kinds of fish; for they certainly paid religious adoration to the ocean, which they deemed the sacred habitation of the gods, and thought that all it contained was consecrated to their use alone.

The same uniform plainness and simplicity which

* A party of these new settlers, sailing up the river from the Kentish coast, are said to have been the founders of the city of London, which they distinguished by the name of Tre-novant, or New Town; and from hence the inhabitants of the several counties surrounding this New Town, were called Trenovantes, or Trenobantes. Geoffry of Monmouth, a monkish historian, calls the city of London, Troinovant, and concludes

that it was originally founded by Trojans; but this account is wholly incredible, while the other is attended with every mark of reasonable conjecture, though not with the full evidences of historical truth.

† Strabo, l. 4.

‡ Some historians, without any foundation, make this effect of liquor peculiar only to the Thracians and the Britons.

appeared in their persons and their way of living, extended to their manners and customs, which, except in some particulars, were agreeable to the general laws of nature, and the pure dictates of human reason. They were divided into two classes, being either priests or soldiers, and were distinguished by Cæsar, and all the antient authors, as a brave, warlike, generous people, remarkable for their honesty and sincerity, and for their singular hospitality; ever deeming the persons and effects of strangers inviolably sacred, and esteeming it their duty to afford them protection and defence against every insult. This account of their hospitality is remarkably confirmed by their suffering a continual inundation of new settlers from the continent to take peaceable possession of the sea-coasts, the natural bulwarks of the whole island. In public and private life they held effeminacy and indolence in utter abhorrence; in all their transactions they were open and candid, disdaining every species of deceit and flattery, and every subterfuge of low art and cunning: even in war, they rather chose to rest the decision of a battle on their personal bravery and intrepidity, than submit to make use of mean and despicable snares and stratagems to obtain a victory; and to this public virtue the Romans were indebted for their success in almost every engagement with them, constantly employing the whole force of their great military skill and cunning against the untaught valour, the native fortitude, of a people, almost unarmed and undisciplined, who scorned to owe even the preservation of their liberty to any other but the most honourable means of defence. This is their general character, and they stand charged with but one public vice, unbounded and incestuous concubinage; which, however, gradually declined in proportion as they became more civilized, and at length was totally disused.

The form of government which at first prevailed in Britain, differed very little from that of Gaul: the whole island was divided into a great number of petty states, and the administration of government in each state was vested in an assembly or council of the nobility, who annually elected one of their body to the dignity of supreme magistrate, and conferred on him the power of life and death. As the majority of the nobility were Druids, this dignity generally fell to the lot of a Druid, which, with the additional circumstance of their holding general annual assemblies in the isle of Anglesey*, the chief seat of the Druids, has induced some historians to assert, that the Arch-druid was the supreme magistrate, or king of Britain: but this was so far from being the case, that they never conferred any more than a limited, temporary power, on any person, till after the invasion of the Romans. Their usual method was, on extraordinary emergencies, when they were threatened with insurrections at home, or invasions from abroad, to convene a general assembly, to which the several petty states sent their deputies. This assembly elected a chief commander, who being the cap-

tain-general of their forces, and the sole dispenser of justice, was, by Livy and other Roman authors, stiled Rex: but this supreme magistracy was by no means equal to the power and prerogative of the regal antiquity; for it was a temporary office, which generally subsisted no longer than the urgent cause that gave birth to it; nor was it always centered in one person; for sometimes two generals were chosen, and invested with equal power and authority. Some authors have maintained, that this dignity was bestowed for life; but I find no example of it on record: as for the case of Divitiacus, it is foreign to the purpose; for he was an invader and a conqueror, not a general, elected by the suffrages of a free people.

The same conformity to the customs of the Gauls prevailed in the religious, as in the civil constitution of Britain: they were both equally subject to the power and authority of the Druids †, whom they revered as gods. The Druids were a society of men who had a most extensive influence in civil affairs, and in all religious concerns a most absolute and unlimited authority ‡.

The society of Druids consisted of three orders, the chief of which had the inspection of all public affairs, but not the entire management of them, though their consent was necessary to give sanction to every decree: they were all subject to one high-priest, stiled the Arch-druid, who had a power of calling their supreme magistrates to account, and even of deposing them; but this part of their authority they very rarely exerted: they presided over and regulated all the ceremonies of their public sacrifices, and they gave their final approbation to sentences of death pronounced against criminals, without which they could not be executed. Thus every public transaction falling, in some degree, under their jurisdiction, it is no wonder that they gained likewise the knowledge of men's private concerns, and in time gained such an ascendancy over the minds of an ignorant people, that they were little less than adored.

The second order of Druids was distinguished by the name of Bards. To these were committed the care of educating the children of their princes and nobility, who were frequently initiated into their mysteries, and afterwards admitted into the first order of Druids.

To the Bards likewise was assigned the province of composing verses in praise of their heroes, and other eminent persons, which, according to Lucan, they sung to the sound of the harp.

The third order were the Eubates, according to Strabo and Ammianus Marcellinus; but a modern author says their real appellation was Vuids, or Vates. However that be, these entirely devoted themselves to the study of astronomy, augury, divination, magic, natural philosophy, and physic: in short, they were skilled in every art and science that could contribute to excite the astonishment and fix the veneration of the people, who regarded them as demi-gods endowed with more than mortal wisdom, and illumined by celestial inspiration.

* In the isle of Anglesey various remains of the customs, and monuments of the residence of the Druids, still subsist, as may be seen at large in Rowland's *Mona Antiqua*.

† The appellation of Druid is derived from Dryw, the old British word for oak, which these priests held in great veneration, and on that account were called Druids, or Worshipers of the Oak, and not from the place of their residence, as

some have conjectured.

‡ Carte is of opinion, that the Druids were the immediate descendants of the Curetes of Greece, from whom, he imagines, they borrowed the rites and ceremonies of their religion: but this conjecture is built solely on the authority of Pezron's *Antiquité des Celtes*, and no other historian of any repute has adopted it.

To the immortal honour of the Druids, all historians agree in allowing that they exercised the functions of their office with becoming dignity, incorruptible integrity, and uncommon fortitude and perseverance; frequently exposing their lives for the service of the state; sometimes rushing, unarmed, on embattled armies, braving every danger, and bravely opposing the powerful influence of superior virtue and eloquence to the rage of war, which they often assuaged, and sometimes totally extinguished, by their prudent admonitions, even at the very crisis when the fate of arms was on the point of deciding the quarrel.

Such were the antient Druids, so justly renowned in history, who, setting aside the cruelties they exercised in their superstitious rites, were the wisest and best society of priests that ever subsisted. Being composed of the principal nobility, they were by birth, as well as education, devoted to the service of their country: being absolute strangers to every species of effeminate luxury, they were also ignorant of its attendant vices; one of which is, the erecting a private interest in opposition to the public welfare; and maintaining the former at the expence of the latter: in a word, they seem to have been the Mandarines of that age; and monuments of their exemplary virtue have been preserved, to be an eternal disgrace to the Jesuits, and some other religious societies of the present age.

The nearest resemblance of the Druids to the modern religious potentates, seems to have been in their contention for the supreme ecclesiastical dignity. When the Arch-druid died, he was generally succeeded by the next in dignity, superior learning, and exemplary piety; but as it often happened, even in those early ages, that the relation or particular friend of a prince or chief magistrate advanced, by irregular steps, to posts of dignity they could have no pretence to, in the direct order of succession; it also often happened, that superior learning, exemplary piety, and popular esteem, stood in competition with nobility and dignity of office, and produced a number of candidates with different claims to the vacant post of honour. The contest sometimes grew warm, and was referred to the decision of arms. Thus we see that religious wars were the disgrace of the dark ages of ignorance and barbarity. Would to God! we could say they have not served as examples to later and more enlightened æras; and that the horrid copy has not outdone the original.

There are some remains of the druidical maxims that do great honour to that order, and convey instruction to every age; others there are, which are built upon the Socratic and Pythagorean philosophy, and afford more food for curiosity than for improvement. The rest are either peculiarly adapted to the singular superstitions of their religion and the policy of their government, or are the effect of their physical knowledge; and they all seem to have been copied chiefly from the Gauls, but in some particulars from the Phœnicians.

We shall endeavour to separate the ore from the dross; and shall give the first place to those tenets which are to this day held in universal esteem.

"There is but one supreme God, infinite and omnipotent.

"All things derive their origin from Heaven.

"The soul is immortal.

"The world will be destroyed, *if at all*, by fire or water.

"There is another world.

"Great care is to be taken of the education of children."

These are all the remains of their religious principles that merit the least attention: we shall now meet with some few political ones worthy of regard, if not of imitation.

"Children must be brought up apart from their parents, till they attain the age of fourteen years.

"Upon extraordinary emergencies, a man may be sacrificed for the good of his country.

"The disobedient or disloyal must be excommunicated, deprived of the benefit of the law, secluded from society, and rendered incapable of any public employ.

"He that comes last to the assembly of the states merits death."

The rest of their maxims we throw into one table, as a relic of antiquity, curious, but not interesting.

"Money lent in this world will be repaid in the next.

"They who kill themselves to accompany their friends to the next world, will live with them there.

"Letters given to dying persons, or thrown on their funeral piles, will be faithfully delivered to those they are addressed to in the other world.

"All masters of families are supreme lords of their own household: they have a power of life and death over their wives, their children, and their slaves.

"It is lawful to slay a man, in order to predict future events from the manner in which the body falls, from its motions when fallen, from the flowing of the blood, from the appearance of the wound, and from the inspection of the vitals.

"Prisoners of war are to be slain on the altars as offerings to the gods, or burned alive, inclosed in wicker, in honour of them*.

"All commerce with strangers is prohibited.

"None must be instructed but in the sacred groves.

"The arcana of the sciences must not be committed to writing, but to memory.

"The moon is a sovereign remedy for all things.

"Mistletoe must be gathered with reverence, if possible, on the sixth day of the month: it must be cut with a golden bill.

"The powder of mistletoe makes women fruitful."

From these maxims may be deduced the general principles of the religion of the antient Britons; but though there is no notice taken of any inferior deities, yet they paid divine adoration, and performed different sacrifices in honour of Mars, Apollo, and Mercury; and, after the invasion of the Romans, they added to these Minerva, Diana, and Hercules. The external form of adoration

* This barbarous custom the Britons derived from the Phœnicians, who were the most addicted of any nation at that time to this inhuman practice.

consisted of invocations, oblations, expiatory sacrifices, and thanksgivings, which they expressed in hymns and songs composed and performed by the bards, accompanied with musical instruments, in praise of the particular deity who had been propitious to them; for each deity had his province assigned him; Mars having a supreme power over the events of war, Apollo in the cure of diseases, and Mercury in the success of commerce. To these acts of devotion they added feasting and dancing, and various games and sports after the manner of the Greeks: their religious tenets, their laws, and the vocal part of their adoration, were all composed in verse, the better to fix them on the memory, agreeable to one of the druidical institutes.

The places set apart for the adoration of their gods were consecrated groves, fenced in and surrounded with oak, for which they had so great a veneration, that, in every part of their religious ceremonies, they found means to make use of some part of this divine tree; covering their altars, and adorning their victims, with its leaves and boughs; and obliging every person employed in performing the sacrifices to wear garlands of it. The mistletoe, which grows on some of these trees, was an object of most profound veneration, being esteemed a peculiar gift of Heaven, a panacea in medicine, and particularly sovereign in the cure of barrenness. It was sought for annually in the spring of the year with great solemnity in all parts of the kingdom; and the first day of a new moon was generally set apart for this superstitious ceremony, which was performed amidst the acclamations of the multitude, who assembled from all parts to attend the sacrifices offered on this occasion. As soon as it was found, the Druid, dressed in a kind of surplice, ascended the tree, and, cutting it with a sort of pruning-knife, received in his garment this precious boon from Heaven, which was regarded as an omen of success for the remainder of the year.

Having thus given an account of the authority, the general character, the religious principles, and the superstitious ceremonies of the Druids, we must beg leave to wave all vague and romantic descriptions of their persons and dress, and of the remains of their public and private edifices, about which no two authors agree, these being wholly unworthy the regard of an historian; but falling directly under the province of professed antiquaries, who out of rude heaps of stones, dispersed up and down in woods and on barren mountains, can form incontestable monuments of antiquity, turning every conical eminence of stone into an altar, the remains of quarries and broken rocks

into antient temples, and druidical mansions; but, that the curious may not be at a loss, we refer them to the *Mona Antiqua*, Gildas, Camden, and other antiquaries*, and shall close our account of them with one remark from Tacitus, which merits attention. "It was an opinion universally established in all the countries where the religion of the Druids prevailed, that to suppose the presence of the Deity to be confined within any enclosed place, or to represent him in an human form, or by any material image, was derogatory to his honour, and incompatible with his divine attributes."

From the commodious situation of Britain, it might be supposed that the antient Britons early applied themselves to commerce; but this was partly impeded, with respect to the inhabitants of the inland counties, by the druidical maxim, which forbid all commerce and intercourse with strangers. What little commerce they had, was by this means confined to the maritime ports in the western part of the island, particularly in Cornwall, where the tin-mines furnished them with the first branch of foreign commerce they had any knowledge of. The Phœnicians discovered this part of the island, according to some authors, long before the Trojan war, and bought great quantities of tin of the inhabitants, of which they made a considerable gain by selling it to other nations, and gave the Britons in exchange pearls, ivory, silver, and gold: the two first they manufactured for their own use for some time; but at length brought them to such perfection, that we find them exporting ivory bridles, collars, &c. to foreign parts; probably re-vending them thus manufactured to the Phœnicians themselves; for they did not venture their persons with their commodities in foreign parts, and therefore did not attempt to build any vessels of burden. The utmost extent of their sailing, before the arrival of Julius Cæsar, seems to have been confined to the coasts of Gaul; and this they performed in open boats, very poorly constructed, of wicker, secured with pitched hides, but wholly unfit to out-live a storm†.

Thus circumstanced, they must appear to every impartial judge wholly unprovided to resist a formidable invasion from a powerful enemy, resolutely bent on conquest, and spurred on by ambition, avarice, and revenge. The principal ports of the island were inhabited by different colonies of the Celtæ, forming a distinct people from the inland counties; and the whole island was divided by domestic faction and discord, at the time when Cæsar meditated his invasion. Some years before this, they had been unable to withstand the incursions of Divitiacus, king of the Sueffones, who,

* If the reader cannot procure, or does not choose to pore over so many volumes of antiquities, he will find the copyists of these authors minutely transcribed in Smollett's notes to his *History of England*, vol. I. and in Rider's *History*, vol. I. from page 30 to 50.

† A modern author has attempted to display his ingenuity by furnishing the ancient Britons, in the earliest times, with a formidable fleet, and giving them the same sovereignty over the seas that we at present enjoy. The two circumstances he refers to, in order to prove the strength of their marine, are what Cæsar has related: "That he could get no information concerning the country or its ports, because the inhabitants permitted none but merchants to visit the island, and forbade even those to travel far into the country;" a regulation that argues power and policy! Very true, but it is no proof of a marine force; for the ports might be defended by the inhabitants without shipping; and it is most probable, that if

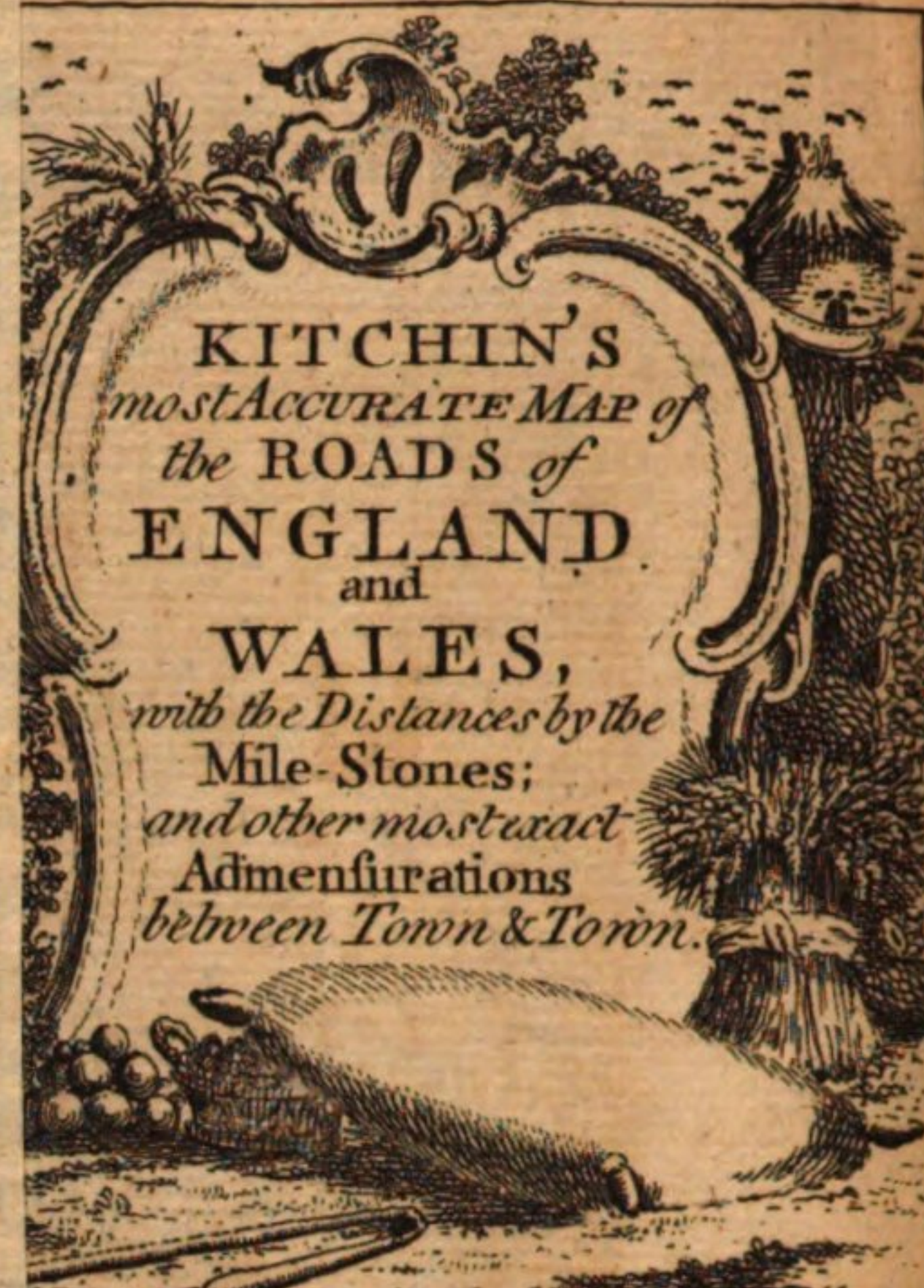
they had sent any vessels to sea, either on a trading or warlike expedition, Cæsar would have been able, by some means, to have procured the intelligence he laments the want of.

The other circumstance is equally inconclusive. "The English, says he, succoured the Gauls both by sea and land, which surely could not be performed in leathern boats, used only for fishing; but must have been in stout vessels." I see no reason for this supposition; for a great number of land-forces might be transported from the Kentish shore to the coast of France in open boats, even at this time, if there were no interruption from the enemy; and it does not appear, from Cæsar's own account of his expedition into Gaul, that he covered the coasts with a fleet to prevent the inhabitants receiving any succour by sea; so that there could be no necessity for a formidable British fleet barely to land their army on the coast of Gaul.

aided by some of the Belgæ inhabiting the maritime coasts, had marched into the heart of the country, reduced many of the inland counties to his obedience, and had garrisoned them with Belgic troops, with whom they could not be supposed to live in great harmony, when they received the melancholy news of the Roman expedition. To this want of union must be added a total ignorance of all military discipline, and of almost every offensive as well as of every defensive instrument of war, and that the Britons inhabited an open country wholly destitute of all fortification; having nothing to shelter them from an enemy, but mountains, defiles, woods, and bogs. The only arms they originally made use of were sharp-pointed sticks, which they used for javelins, and long poles, cleft at one end, to receive a sharp-edged flint, which was secured by a band of copper, to which they hung a kind of bell of the same metal, with the noise of which they designed to terrify their enemies; but, at the time of Cæsar's invasion, they had learned from the Phœnicians and the Belgæ, who had an intercourse with the Suesones, the use of the sword, the dagger, the target, and the chariot of war, which they decorated superbly, and managed with astonishing dexterity, turning and stopping it when in full career. They fastened sharp iron, resembling a scythe, to the nave of the wheels of these chariots; and thus furnished, they drove them with great impetuosity through the thickest ranks of the enemy's infantry, cutting down, and driving over, all that opposed their passage. Having performed this service, the charioteer left the chariot on the field of battle; and the warriors, returning to the action, fought on foot, till, unable longer to endure the fatigue, they returned to their chariots, and thus continued the engagement. But the assistance these machines afforded them would not have been sufficient alone, unpractised as they were in military discipline, to have enabled them to repel the united strength and skill of the embattled legions

of the warlike Romans, if they had not been endowed with uncommon valour and perseverance, and enured to extreme hardships and fatigue; valour still more remarkable, as it extended to the female-sex; for their very women accompanied them to the field of battle, furiously charging the enemy, rallying the repulsed, and animating the faint and timid by their presence and heroic example. They advanced to encounter an enemy much in the same manner as the Indians, clashing their arms, shouting, and making a wild uproar with the sound of uncouth instruments; designed, no doubt, to intimidate the enemy: but as they approached pretty near their adversaries, they began dancing, and singing the heroic deeds of their ancestors. Cæsar bestows great encomiums on the undaunted bravery, and remarkable impetuosity, with which the Britons began an engagement, and their great intrepidity in returning to the charge after severe repulses: in a word, they were equal to the Romans in point of personal bravery, but deficient in military knowledge, and still more in want of that union which was necessary to support the common cause: they were unhappily divided into such a number of petty states, each governed by their own senate and supreme magistrate; and tho' some of these had united and incorporated themselves into large principalities, yet it was extremely difficult to get these to act in concert, and form one embodied force for the defence of the island against foreign invasions; and as for those states that lay at a great distance from the coasts, the first scene of hostility, these could not be made sensible of their danger, nor consequently be induced to prepare for their defence, till the enemy approached them. Under these fatal circumstances, Cæsar found this brave and intrepid people an easy prey, who, had they been under a regular form of government, and assembled under an able commander, would, in all human probability, have spared all historians the pain of recording the fatal success of Cæsar's expeditions against Britain.

THE



KITCHIN'S
most ACCURATE MAP of
the ROADS of
ENGLAND
and
WALES,
with the Distances by the
Mile-Stones;
and other most exact
Admensurations
between Town & Town.

Remarks
Cities in New Print as London
The Distances on the Roads in Measured Miles
between Town & Town as under.
Wiccomb 6 Amersham 11 Uxbridge 5 London
Beaconsfield 8 10 Acton
The Figures added together shew the Distance
from London to Wiccomb 29 miles, or from
London to Amersham 26 Miles.

We have wholly omitted the Computed Distances on the Roads, they being nothing better than the Effect of wild and random Imagination: as 6 such Miles are 7 or 8 in one place, in another 9 or 10 true Measure: by which many Travellers have been put to great Inconveniencies.

As no pains has been wanting to make this Map correct if any Errors have escaped undiscovered we hope they will be excused & shall be obliged to any Gentlemen that will favour the Engraver T. Kitchen, at the Star Holborn Hill, with any Improvements or point out a Fault which shall be immediately corrected.



T H E
H I S T O R Y
O F
E N G L A N D.

F R O M

The FIRST EXPEDITION of the ROMANS to their
FINAL RETREAT to the CONTINENT.

P A R T I.

AT the time when Julius Cæsar formed the design of invading Britain, the military genius of the Romans was arrived at its meridian splendor; the same insatiable thirst of glory animated at once the generals, the senate, and the very citizens of Rome; even the common soldiers fought less for plunder than for the honour of their country; and one general spirit of emulation prevailed in all their armies, which was cultivated and kept alive by two of the greatest generals that Rome had ever given birth to. The victorious Pompey had already spread the renown of the Roman arms over the greatest part of Africa; and, in order to put the finishing stroke to the immortal fame he had acquired, had reduced Syria, Judea, and Arabia, and had planted the Roman eagle on the borders of the Red Sea, while Cæsar, his only rival in power and military fame, lay inactive in Gaul, having totally conquered that country, the government of which was assigned him as his reward. Fired with the news of Pompey's extensive victories, he meditated a blow, which should at once strike his countrymen with astonishment and admiration, and efface the remembrance of Pompey's great and distinguished services; and this was no other than the invasion of Britain, which, if attended with success, he had no room to doubt would raise his name far above his rival's, and enable him to stand in competition with Alexander the Great, whose heroic exploits filled the world with terror and admiration, when the name of Cæsar was scarcely known. Pompey had, indeed, extended his conquests to the banks of the ocean, which the Romans believed was the boundary of the world; and they never thought of carrying their arms beyond it. No other motive, therefore, need be assigned for Cæsar's expedition against Britain than his unbounded ambition, which at first animated him to bear away the palm of honour from his professed rival, and afterwards to equal the renown of Alexander, which he constantly aimed at acquiring to the very last period of his life*.

* Suetonius, in his life of Cæsar, says, that his motive for invading Britain was his being enamoured with the largeness of the British pearls, which he frequently poized in his hands. Cicero likewise insinuates, that both Cæsar and his army had great expectations of finding mines of silver on the island; from whence some authors pretend, that avarice was Cæsar's principal motive to invade Britain: but Suetonius himself allows, in another place, that avarice was no part of Cæsar's character; and as to what Cicero says, it serves rather to confute, than to establish this opinion. His express words, while the expedition took place, are, "It is certain there is not a grain of silver to be found in the whole island, nor yet any profit to be made but by slaves;" and, after Cæsar's landing in Britain, Cicero says, "I have received letters from my brother and from Cæsar; they have done their business; they have got no plunder; but yet they have ordered the payment of some money." Now, what could Cicero mean by saying, that they had done their business, though they had got no plunder, but that the end for which Cæsar had undertaken this expedition was answered? His own fame was raised to the highest pitch of glory, and the arms of the Romans were carried into a new world; that is, beyond the boundaries of the ocean.

In planning this expedition, Cæsar appears as much the politician as the general; by an easy trajet of only eight leagues, he proposed to acquire more honour than Pompey had procured by a long and harrassing campaign in the sultry desarts of Arabia. The first step he took towards putting it into execution, was to send for the merchants who traded to the British coast, and enquire of them the situation of the coasts and harbours, the extent of the island, the nature of its fortifications, the number and genius of the inhabitants, the strength of their forces, and the state of their finances. Of most of these the merchants were entirely ignorant, not being allowed by the natives to travel far into the country, and their traffic being chiefly confined to the western part of the island; nor is it probable that they chose to communicate to Cæsar the little knowledge they had; for his expedition was likely to interrupt the advantageous commerce they carried on with the inhabitants; and, by making it universally known, to deprive them of that profit which they had long enjoyed secretly among themselves. Cæsar, therefore, met with a great disappointment in his enquiries, and indeed more than he at that time suspected; for some of these merchants, probably from the motive just assigned, privately set sail, and gave early intelligence to the Britons of Cæsar's intended invasion. In the mean time, Cæsar, to supply this failure of intelligence, sends out C. Volusenus in a single ship to reconnoitre the coasts, while his troops were marching to the general rendezvous for embarkation, which was the coasts of the Morini, where he ordered Volusenus to rejoin him as soon as he had made what discoveries he could with safety; and here likewise he ordered the fleet to meet him that he had fitted out, the preceding year, against the Veneti, together with the several vessels lying in the neighbouring harbours.

While these preparations were making, the Britons, dreading the impending storm, and willing at least to gain time, held a general assembly to deliberate on the intelligence received from the merchants; and it was resolved to send ambassadors to Cæsar, to engage him to lay aside his expedition, to offer him hostages for their future good behaviour, and to make all due submission and acknowledgment of their fault in having assisted the enemies of Rome, and the fairest promises of paying great respect hereafter to the Roman state*. Cæsar received this embassy with great complacency, and treated the ambassadors with great respect; but this submission, which was in fact all that the Roman government could require, by no means answered Cæsar's purpose; and therefore he reassumes the artful politician, and dismisses them with very fair promises; exhorting them to fulfil their engagements, but giving them no positive assurance that he would put off his expedition: but with the ambassadors he sends Comius, a creature of his own, but a Briton

by birth, whom he had lately made king of the Atrebates. Him he charges with his instructions, which were to persuade the Britons, amongst whom he knew he had a very extensive influence, to form an alliance with the Romans, and to put themselves under Cæsar's protection; and, at the same time, to inform them, that he intended shortly to pay them a visit in person. Comius had no sooner delivered his commission, than the Britons imprisoned him, and loaded him with chains, as some imagine; treating him as a traitor, who had deserted his country; but most probably because they found from their ambassadors, who returned with him, that the doubtful behaviour of Cæsar, and the continuance of his warlike preparations, were inconsistent with the fine speeches and fair promises made by Comius, whose commission they might rather deem an insult than a friendly embassy.

While this event happened in Britain, Cæsar finding he could make no further discovery, Volusenus, after coasting about for five days, not having brought him any material intelligence, and all things being in readiness, he embarks two legions on board of eighty vessels, leaving orders for the horse to be embarked on board eighteen larger ships, which then lay wind-bound in another harbour, and to follow him as soon as possible; but whether they continued wind-bound, or that they were delayed by mismanagement, his orders were not executed in proper time, and had well nigh proved fatal to his affairs.

The wind proving fair, he set sail about midnight, and arrived on the coast of Britain, the next morning, being the 26th day of August, and fifty-five years before the Christian æra.

The Britons, who had not been idle, but had prepared to receive the invaders from the moment they had imprisoned Comius, appeared on the rocks and cliffs about Dover, armed with darts, and in readiness to dispute their landing. Cæsar, seeing such multitudes prepared for defence, contrary to his expectation, and so admirably situated as to command the landing-place, dropped his anchors, and determined to look out for some place where his men would not be exposed to the darts of the enemy, without being able to annoy them from the height of the cliffs. In this resolution he remains at anchor in Dover-road till the afternoon, when, after calling a council of war, and delivering his last instructions concerning their landing, wherein he particularly recommends to them celerity in the management of their ships, so as to be ready to favour unexpected motions, and to guard against the inconveniencies arising from the surf of the sea, which they had not been accustomed to †, he weighs anchor; and, sailing with the wind and tide about eight miles along the coast, he found an open level shore, where the Britons, who had watched his motions, were in readiness, as before, to oppose his landing ‡; but with this difference, that they had no

* Cæsar's public pretence for invading Britain, was their having assisted the Veneti, and other Armorican cities, against the Romans; and that they had made their island an asylum for the ringleaders of the Belgæ, whom they had spirited up to revolt from the Romans, and who, being routed, fled to Britain. This was the public charge which served to cover Cæsar's private ambition, and to justify him to the Roman

senate, in case he failed in his enterprize; for it was a custom with the Romans always to revenge themselves on all the allies of their enemies.

† Vide Cæsar's Commentaries.

‡ The most authentic historians agree, that Cæsar landed at Deal, which is eight miles from Dover, and lies on a level

hills nor rocks to defend them: so that Cæsar, finding this the most proper place to attempt a landing, ordered his fleet to advance as near as possible to the shore; but they drew so much water, that they could not come near enough the shore for part of his troops to cover the landing of the rest. This threw the Romans into great confusion, being obliged to leap overboard, encumbered with heavy armour, to attack an unencumbered enemy, who were drawn up on the shore, resolutely determined to prevent their landing. The first onset was furious, and greatly in favour of the Britons, who rushed with their war-chariots into the sea, and made a dreadful havoc among the Romans; striking them with so much terror and astonishment, by their undaunted resolution, and uncommon manner of fighting, that the Romans, according to Cæsar's own account, began to give way; and the native fortitude of the Britons for a short time prevailed over the boasted intrepidity of the Roman veterans. At this juncture, Cæsar, with an amazing presence of mind, ordered his galleys to be rowed within shore, and to attack the enemy in flank with slings, engines, and other missile weapons. This stratagem succeeded, in part, by abating the courage of the Britons, who were struck with a panic by the unusual form of these galleys, the management of the oars, and the working of the balistæ; but the Romans, though they found the Britons began to fall back, had met with so warm a reception, that they did not shew any readiness to quit their ships, which the standard-bearer of the tenth legion observing, he nobly leaped overboard, exhorting his legion to follow him, unless they meant basely to betray the Roman Eagle into the hands of the enemy*. Stung with this well-timed reproof, and animated by the noble example of the standard-bearer, united shame and emulation soon overcame all sense of danger; the whole legion followed him, which encouraged the rest of the army; so that the whole force of the Romans soon advanced towards the shore; but were once more so strongly opposed, that they were very near losing the day; for as they quitted their ships in great confusion, being vigorously assaulted by the Britons, and encumbered with heavy armour, they could not avail themselves of their discipline, each soldier ranging under the first colours he could make up to, so that no order could be maintained. Cæsar, observing their confusion, orders all his boats to be filled with fresh troops that had not yet engaged, and which he had kept as a corps de reserve for any unforeseen event. These boats he orders to row about; and where they found any legion more warmly pressed than the rest, to pour in a fresh supply of men. This happy expedient supporting the drooping valour of his legions, who, thus reinforced, soon made the shore; and,

forming according to the rules of their famous discipline, the armour, which before encumbered, now defended them from the enemy's javelins, and decided the fortune of the day; the naked Britons, who had only their personal bravery to trust to, being obliged to quit the field. However, the victory was far from being complete, owing, as Cæsar himself says, to his want of cavalry to pursue the routed islanders; not daring to put his infantry on so dangerous a service in an unknown country†. The discomfited Britons, dreading the effects of further opposition to an enemy whom they now deemed invincible, determined to sue for peace; and, as the first step towards obtaining it, they release Comius, and send him back to Cæsar with their ambassadors, who were empowered to tender their submission a second time, and to offer hostages for the performance of their covenant. Cæsar, after warmly remonstrating against the inconsistency of their conduct, in sending ambassadors to him on the continent to atone for their fault of aiding the enemies of Rome, and to promise to shew respect to the Roman state; and afterwards, not only receding from their treaty by making preparations to oppose his landing, but, contrary to the law of nations, imprisoning his ambassador, attributed the whole to their ignorance, and granted them peace; but demanded a considerable number of hostages, and those of no mean condition. Some of these they immediately delivered up to him; but as policy had suggested to him to require some of the leading men of every province, these could not so easily be collected, nor, in fact, were they ever delivered; for the peace was broke before they could be procured.

The Britons having thus secured themselves from immediate danger by a temporary peace, entered into probably on both sides, but most certainly on theirs, with no view of keeping it longer than necessity required, immediately disband their forces; and, assembling the heads of their several petty states, send deputies to Cæsar to join with him in the management of the affairs of the island: this general assembly was yet sitting, when advice was brought them that the eighteen ships which Cæsar had left behind him to take his cavalry on board, had appeared off the coast sailing with a fair wind, which suddenly changing, a storm arose that had dispersed them and driven them back to the ports of Gaul; that the same storm had likewise made most dreadful havoc in Cæsar's fleet in the Downs, and that in the night the flood tide had risen so high, that the galleys which Cæsar had ordered to be towed on shore were filled with water; and that this unexpected accident, joined to the damage the fleet had sustained, and the disappointment from the ships, with the cavalry, being obliged to put back to Gaul, had spread such universal terror and

* The loss of their colours was almost an eternal disgrace to any of the Roman corps that met with that misfortune.

† The signal bravery, perseverance, and military obedience of a Roman soldier in this engagement, merits the reader's attention: his story is recorded by Valerius Maximus and Plutarch, both authors of undoubted veracity. This soldier, by name M. Cassius Scæva, with four other, landed on a rock possessed by a few Britons, whom they attempted to dislodge from their post; but the islanders proving too strong for the Romans, Scæva's companions provided for their own safety by flight: thus deserted, he maintained an unequal combat for some time, employing the weapons to advantage

that his fellow-soldiers had left him, making a great slaughter among the enemy, in sight of both armies; till at length, having his thigh wounded with an arrow, his face bruised, his helmet battered to pieces with stones, and his shield pierced through in several places; seeing himself in danger of being overpowered, he retreated to the water-side, and throwing himself into the sea, swam to his ship, where his regard to the strict disciple of the Romans became a fresh object of admiration; for, instead of demanding a reward for his services, he, in the most submissive manner, asked pardon of his general for fighting without orders, which he obtained, with a centurion's command.

consternation among the Romans, that they did not appear to be the same people; and that this confusion was heightened by a scarcity of provisions, and the want of materials to repair their fleet.

Such an opportunity as this was too precious for the sons of liberty and freedom to neglect: the hopes of retrieving their country from slavery again revived and roused the warlike spirit of the generous islanders; their deputies, after taking due notice of the small extent of Cæsar's camp, from which they judged his forces were not so considerable as they had imagined, secretly withdraw from Cæsar, and joining their countrymen, assembled in council, confirm the report of the disasters that had befallen the Roman fleet, and exhort them to take up arms for the recovery of their freedom at this favourable crisis, while the Romans were deprived of every means of retreat: thus urged, they agree to collect their scattered forces, and make head against the enemy, and in the mean time to endeavour to cut off all supply of provisions for the Roman camp.

Cæsar, who was too great a general not to know that true friendship never subsists between the master and the slave, and that a forced peace is soon followed by a war, judged that the Britons would embrace this opportunity, which so strongly favoured a revolt; that he might be prepared against all events, orders the harvest to be got in from the neighbouring fields, and forms a considerable magazine of corn within his camp; and, that nothing might escape his vigilance, he sends to Gaul for proper materials to repair his shattered fleet; and, till the arrival of these, he orders them to be refitted, in part, from the fragments of such ships as the storm had rendered totally unserviceable: his troops laboured with indefatigable industry, and in about ten days completely refitted the remains of his fleet, twelve ships being destroyed by the storm.

The harvest was by this time almost over; but a particular field at some distance from the camp remained still unreaped, which became the scene of the first hostilities on the part of the Britons; for the seventh legion being sent out to bring in the corn from this field, the Britons, as soon as they began to reap it, fell upon them from a neighbouring wood, where they had concealed themselves for that purpose, and must inevitably have cut them to pieces if the advanced guard of the Roman camp had not fortunately, for them, perceived an uncommon cloud of dust, from which immediately guessing that their countrymen were attacked, they sent to inform Cæsar of this unusual appearance, who, without further hesitation, calls off the advanced guard, who lay readiest for marching to the field, orders their post to be filled by others, flies to the assistance of the distressed legion, and arrives just time enough to prevent a general slaughter of them; for the Britons had overpowered them; and, to hinder their escape, had surrounded them with their war-chariots. The presence of Cæsar inspired the falling legion with fresh courage, and put the Britons to a stand, who did not think pro-

per to come to a general engagement, because they had determined to distress the Romans by protracting the war, in hopes of harrassing them so much, as the winter came on, that they would be quite wearied out, and quit the island of their own accord: Cæsar likewise appears to have declined the battle; for, after he had rescued the legion, he remained a short time on the field, in order of battle, and then retired to his camp.

Various conjectures have been formed, and many reasons assigned, by different authors, for Cæsar's conduct on this occasion, which appears very inconsistent with his general character; for he is said never to have fought but with decisive advantage; but, if so, here, for the first time, he was worsted. It is in vain to assign any other cause of his retreat; the Roman authors themselves are of this opinion, though they own it but faintly, and with reluctance. Had the advantage gained over the seventh legion been but trifling*, can any one doubt but that Cæsar, having once put the Britons to a stand, by his sudden arrival, and reinforcing the legion, would immediately have chastized the Britons for their fresh revolt, and have spared himself the trouble of future contests; till, therefore, it can be proved that Cæsar ever neglected improving an advantage, or delayed his vengeance when in his power to exercise it, we may be allowed to maintain, that if in this engagement victory may be said to have resided with either army, it certainly was with the Britons.

A series of tempestuous weather kept both armies inactive in their camps for some days, during which the Britons sent dispatches into all parts of the island, inviting the chiefs of the several petty states to join with them all their forces, and, by forcing the Roman camp, at once to cut them off and free their country from the galling yoke of slavery; and, as a further inducement, the messengers were ordered to represent the Romans as in a weak defenceless condition, and quite dispirited for want of their cavalry, and their number greatly diminished. Thus encouraged, and led on besides by the hopes of great booty, numerous forces were collected from the different provinces, who joining in one body with the army that had lately attacked the seventh legion, they boldly advanced and attacked the Roman entrenchments, but with very bad success; for Cæsar was prepared to receive them; and mounting his general officers on the thirty horse that Comius had brought with him to Britain, in his retinue, that they might be the better able to give their orders throughout the whole line of battle, he drew up his army before the camp so as to cover it, and gave the undisciplined Britons a fresh proof of his superior military knowledge; for, thus arranged, his forces soon repulsed the unfortunate victims of Cæsar's ambition, who were many of them slain in the action, and the rest put to flight; and, to add to their calamity, the victorious army, in the barbarous spirit of conquest, set fire to all the habitations for several miles round Cæsar's camp. In this dreadful crisis they again sue for peace, which was far from

* I can see no reason why Smollett should assert, that this advantage was trifling, and only the effect of surprize, when every authority that he could possibly consult, would have informed him that the legion was routed, and would have been

totally destroyed; if Cæsar had not rescued them; but this northern historian is very sparing of encomiums, when the Caledonians are not concerned.

being disagreeable to Cæsar; for his want of horse prevented him from improving his victory, by pursuing the scattered enemy into the inland parts of the island; and, without taking this step, it was impossible to secure his conquest; for though he had defeated the Britons, yet it was far from being decisive, as it was not a general engagement; and he had reason to fear that the same love of freedom which had led them so often to the field, would soon furnish them with a formidable army, which the situation of his affairs would by no means allow him to cope with; for provisions began to grow scarce, his army, though victorious, had suffered greatly, and were as much averse as their general to wintering in an unknown island; and the approach of the equinox made him dread another storm. Thus circumstanced, it is no wonder that Cæsar readily gave audience to the ambassadors, and immediately entered into a treaty with the Britons, requiring only double the number of hostages that he had formerly demanded to be sent to him on the continent, but which was never complied with. Having thus granted a peace that he was not in a capacity to refuse, sensible of his own dangerous situation, he made all possible haste to return to Gaul, and re-embarked his army about the middle of September. On the 20th, about midnight, he set sail with a fair wind, and, after a short passage, arrived safe at the port from which he had embarked, two of his transports only being missing; who, having landed their complement at a neighbouring port, the inhabitants, the Morini, ordered them to lay down their arms, or to expect no quarter.

The Romans, observing that the enemy were but few in number, stood their ground, and received them with great intrepidity; but, fresh forces coming to the assistance of the Morini, they were obliged to send messengers to inform Cæsar of their distress, who tells us, that it was four hours before the cavalry he detached to their relief came up with the enemy; but that, as soon as the Morini perceived them, they threw away their arms, took to flight, and were pursued with great slaughter*.

Thus ended Cæsar's first most inglorious expedition to Britain; which, however it may be varnished over by those historians who are dazzled with the splendor of heroic actions, and never enquire into the justice of them, will brand the name of Cæsar with eternal infamy, among the friends of virtue, freedom, and independence; who must ever look upon Cæsar's invasion as the cruel and oppressive act of a lawless tyrant, who sacrifices honour, justice, humanity, and the law of nations, to his fatal ambition. The Romans, indeed, extolled him to the skies, and ordered a public thanksgiving for his success against Britain; which is not to be wondered at, as they were actuated by the same spirit of tyranny and oppression as their general; and, to gratify their boundless ambition, had trampled on laws human and divine, solely to

acquire the vain title of being masters of the world. But let not Englishmen admire, much less justify, these bold invaders of the natural rights of mankind, nor set up the Greek and Roman name as the standard of imitation; for, upon a strict, impartial examination, more virtue and true heroism will be found in a few very confined periods of the English history, than in all the annals of the boasted republics of antiquity†.

Our brave ancestors were no sooner freed from the presence of their cruel oppressors, than they determined not to comply with the shameful conditions to which their unhappy situation had forced them to assent. The first public act of liberty was shewn in not sending the hostages Cæsar had required of them: he, indeed, mentions two cities that gave him this token of slavery; but these, we may suppose, were under the direct influence of his creature Comius, and acted contrary to the general spirit of the people. The Roman general put his troops into winter-quarters; and, after leaving orders with his lieutenants to prepare a fleet of transports, and make the most vigorous and powerful preparations for a more formidable invasion of Britain in the spring, set out for Italy to pass the winter there, as was his usual custom.

While Cæsar's officers were making their warlike preparations, and collecting stores and rigging from Spain, to fit out their fleet, the Britons were not idle spectators of the approaching storm; but wisely entered into a general association for the preservation and defence of the common cause, and, for the first time, elected a commander in chief of all their forces. As this was a new office, of the highest honour, and greatest trust, the contest for this dignity was warm and spirited, and lay between the chiefs of the Cassii‡ and of the Trinobantes||, the two most powerful states in the island, who had united and incorporated into their bodies several petty states. The supreme magistrate, or governor of the former of these states, was Cassivellaunus, who had reduced several of the neighbouring provinces to his obedience, and had acquired the highest reputation for valour and wisdom; nor was Imanuentius, the general of the Trinobantes, less renowned; but in this dispute he proved unfortunate, and lost his life in the contest by the treachery of Cassivellaunus. His son Mandubratius, dreading the same fate, fled to Cæsar, and put himself under his protection.

Cæsar, on his return to Gaul in the spring, found that his men, notwithstanding the difficulties they had to encounter from a scarcity of materials, had laboured with such indefatigable industry, that they had provided him a fleet of six hundred new transports and twenty-eight galleys, which, with the remains of his old fleet, he judged fully sufficient for the designed embarkation; and being strengthened with a fresh accession of interest among the Britons, by the desertion of Mandubratius, he ordered his navy to repair to Port Itium, which was the most commodious harbour

* It is hardly possible to conceive that the Morini would venture to commence hostilities against the Romans on their landing, when Cæsar's whole force lay so contiguous as four hours march, if they had not considered the whole army as the fugitive remains of an unsuccessful expedition.

† The candid reader is desired to look into Smollett's History of England, vol. i. p. 22. where he will find Cæsar's retreat from Britain ascribed only to his fear of crossing the

seas in crazy vessels, and the authority of all other historians overturned; who uniformly maintain, that Cæsar's army had suffered greatly by the defeat of the seventh legion, and that it was owing to his distressed circumstances that he returned so suddenly to the continent.

‡ The inhabitants of Hertfordshire.

|| The inhabitants of Middlesex.

for embarkation, and lay nearest to the British shore. To this port he ordered his officers to conduct the forces destined for the expedition; and, while they were performing this service, he applied himself to composing several differences that had arisen in his absence among the princes of Gaul, and had caused some commotions amongst them, particularly in the province of the Triviri, where Indutiomarus attempted to raise a general insurrection, and had formed a considerable faction in opposition to Cingetorix, a magistrate of Cæsar's peculiar appointment. To quell this tumult, Cæsar entered the territories of the Trivini at the head of a strong force, reduced them to obedience, reinstated Cingetorix in his office, and carried off all the relations and adherents of Indutiomarus as hostages; and, the better to prevent their forming any combinations in his absence, that might interrupt or divert him from his grand plan of conquest in Britain, he ordered all the cavalry of Gaul to accompany him in his expedition: but it does not appear that this order was obeyed; and we find no mention of any of them embarking with him, except the Æduan cavalry, who, after the death of their general (who fell nobly defending his liberty in opposition to this order of Cæsar) joined the Romans, and went with them to Britain.

Having thus settled the affairs of Gaul, he marched to the rendezvous at Port Itium, where he found that forty of his ships had suffered greatly by a storm as they were under sail to join the main fleet: this and some other incidents it is supposed retarded the embarkation at least twenty-five days after his arrival; at length, about the beginning of August*, all things being ready, the wind at west, and having committed the custody of the port to Labienus, with orders to supply him with what provisions he might want, and to send him the earliest intelligence of all occurrences in Gaul, he set sail at sun-set with a fleet consisting of eight hundred vessels, having on board a large force consisting of two thousand cavalry and five legions of infantry. They got under sail with a gentle breeze at south-west, but at midnight found themselves becalmed, and by break of day carried greatly to the left of our island; but on the turn of the tide, they made such good use of their oars, that the whole fleet arrived safe about noon off Deal, the place where Cæsar made his last descent.

The formidable appearance of so large a fleet had diverted the Britons from their first design of defending the coast, and disputing the enemy's landing; so that Cæsar, to his great surprize, found the shore quite desolate, and landed his men

without the least opposition: as soon as they were all set on shore, he chose out a convenient place for forming his camp (which appears to have been on Barham Downs); and after he had marked out the ground, he left five thousand foot and three hundred horse, under the command of Q. Atrius, to guard his camp †, and to fortify it with all expedition, that it might be a secure retreat in case of necessity. He set out in the dead of the night with the main body of his army in search of the Britons; after a march of twelve miles he discovered the enemy very advantageously encamped on an eminence, with the river Stour in their front, and a thick wood in their rear; by this disposition it is evident that they had no design of coming to a general engagement with the Romans at this place, but to obstruct their march by opposing their passage over this river, which they endeavoured to defend with their war-chariots and cavalry; but the Roman cavalry charged them so vigorously, that they soon forced their passage, and repulsed the Britons, who abandoned their camp, and retreated to the wood in their rear; all the avenues to which they had fortified by blocking them up with large trees cut down and laid across one another to a considerable height: to this wood the Romans pursued them, and found a more difficult service than they had ever known or could expect from the Britons.

Besides the strong, though rude, fortifications at the several avenues to the wood, in the center of it there was a very strong fortress which had been formerly made use of in the civil wars in this part of the country; from this fortress they sallied out in detached parties, and so successfully harassed the Roman cavalry in their attempt to force the entrances into the wood, that they were obliged to resign this service to the infantry, who probably would not have been able to have forced these fortifications, if the seventh legion had not made use of that celebrated part of the Roman military discipline, the tortoise; by the assistance of which they had forced several places fortified by the strictest rules of art, and defended by the best disciplined forces ‡. An attack of this kind, so new and unexpected, could not but fill the astonished Britons with surprize and terror; nor can it be wondered at, that they made little or no resistance, but soon retreated in great confusion ||. Here again Cæsar neglected to pursue them, contrary to his usual method, though from the confusion they were thrown into there he had great reason to expect a complete victory; but he certainly acted with more caution and deliberation in all his con-

* Fifty-four years before the birth of Christ.

† Smollet says, that he left this force to guard the ships that lay at anchor in the Downs; but if the Britons were fled up the country, and had no armed force at sea, what occasion could there be for such a force to defend an empty fleet riding at anchor at some distance from the shore?

‡ The tortoise was so called from its forming a covering and defence for the soldiers, who found as much safety in it as the tortoise does in its shell; to which it likewise bore some resemblance. It was formed by the soldiers raising their shields to an equal height over their heads, and joining them together in so compact and firm a manner, that it formed a compleat stage, which it was not in the power of the besieged to break or unfix. On the stage a second body of soldiers mounted, and formed in the same manner; and by this means they raised as many stages as were required to equal the height of the fortifications they wanted to force. This account of the tortoise is taken from the Roman Antiquities; but we cannot

help expressing our astonishment at the amazing strength of the first body of soldiers, who had to bear the weight of as many stages as were necessary to equal the height of the walls of cities. It resembles the fabulous legend of Hercules supporting the globe; yet it stands on authentic record; and almost all the military exploits of the Romans have more or less of the miraculous cast.

|| It is amazing, that, of all the historians who have related this action, not one of them agrees with Smollett: they represent the advantage gained by Cæsar to have been at the expence of great labour and conflict, and the utmost exertion of military skill; and, in this account of their forcing the wood, Cæsar himself supports their credit; expressly avowing, that his cavalry were repulsed. Vide *Cæsar. Comment.* But this ingenious North Briton makes so slight of the brave defence made by our ancestors, that one would conclude, from his account, that Cæsar's presence alone was sufficient to put them to flight.

tests with the Britons, than with any other enemy, which is no small proof of the high opinion he entertained of their personal valour and intrepidity.

On the morrow after this engagement he divided his army into three bodies, and sent them out on different routs in pursuit of the scattered islanders; but the last division was scarce out of sight, when he sent to recal them, on receiving the alarming news that his fleet was almost intirely destroyed by a violent storm: upon this information he countermanded the pursuit, and set out for the sea-coast; here he was an eye-witness of the havock the storm had made; and, upon examination, found that forty of his vessels were rendered wholly unfit for service, and that it would require much time and labour to refit the rest: however, that no time might be lost, he set all his carpenters to work, and sent for others from Gaul: and, to prevent such a misfortune for the future, as soon as the ships were refitted, he ordered them to be drawn on shore, and to be inclosed within his camp, the trenches of which were extended so as to surround them.

This most astonishing service being performed by the great industry of his soldiers, who applied themselves to it for twelve days and nights, with very little intermission, Cæsar writes to Labienus for a fresh supply of ships to be built and sent to him with all expedition; leaves a proper force to defend the camp, and sets out for his former station, in order to resume the design interrupted by the misfortune that had befallen his fleet.

The Britons had taken advantage of the posture of Cæsar's affairs, and in his absence had greatly increased their force, which they had drawn together in the wood, from which they had lately retired. Cassivellaunus, their general, as soon as he was informed that Cæsar was on his march, detached some of their cavalry and war-chariots to harass and obstruct him on his way; this brought on several skirmishes, the Britons occasionally breaking out on a sudden from their coverts, and falling upon the Romans with their horse and chariots, and retiring to their hiding-places as soon as they found themselves likely to be worsted. In these sallies they were generally repulsed, and at last obliged to retire to their rendezvous in the wood; but they were not disheartened; for, while the Romans were very busy in fortifying their camp, Cassivellaunus, judging it highly impolitic to give them time to compleat their work, made a general sally, and rushing upon the enemy with great fury, made the advanced guard give way: Cæsar observing this, sent two cohorts to their assistance, who, terrified at the uncommon execution the Britons had done, durst not proceed, but made a full halt instead of joining the advanced guard; encouraged by this, the enemy soon broke through them with amazing rapidity, and routed them with very little loss. In this action Quintus Laberius Durus, a tribune, and several other Roman officers, were slain; and, from Cæsar's confused manner of relating the event of this engagement, we may fairly conclude that the Romans were worsted, if not defeated; though he does not say so in express terms: his words are "That on his bringing up more men to reinforce his army, the Britons were checked."

The following day the British forces appeared upon the hills at some distance from Cæsar's camp,

but their number was small, consisting only of a few scattered parties, and seemed to decline coming to an engagement: however, in order to make trial of their disposition, Cæsar sent out three legions and all his horse to forage, under the command of Tribonius; this detachment, formidable as it was, the Britons had the courage to attack, and, falling upon the horse, they penetrated to the legionary troops; but the Romans had now learned the utility of supporting their horse with their infantry; and the Britons being attacked by a compact body of horse and foot, were entirely defeated. From this time they fell into their old factions and divisions; and the troops that had been assembled from the counties returned home, leaving Cassivellaunus to his fate: so, that after this defeat, they never made head against Cæsar as an united people.

The British confederacy being thus broken, the Trinobantes, whom the fear of Cassivellaunus had kept hitherto within the bounds of their duty, seeing that he was no longer able to keep the field with any considerable force, went over to Cæsar, put themselves under his protection, returned to their allegiance under young Mandubratius, and entered into a treaty of neutrality with the Romans, in which they were followed by several counties. Cæsar, thus strengthened, and free from the danger of a general opposition, turns all his force against the unfortunate, deserted Cassivellaunus; he marches towards the Thames in order to penetrate into that general's dominions, and arrives at Coway, opposite the Oatlands, where the river was fordable by his infantry; on the opposite bank he perceived a considerable body of the enemy very advantageously encamped.

Besides the natural difficulty of the ford, Cassivellaunus had added every obstructions that good policy could suggest; he had fortified the bank, on which his army was encamped, with sharpened stakes, and had fixed a great number of the same sort at the bottom of the river; but Cæsar, who was apprized of this by deserters, sent in his cavalry first, and supported them with his infantry, who plunged into the water with great alacrity, even up to their chins, though they were hardly able to support the weight of their armour; the enemy, being struck with consternation on seeing that no obstacle could stop the ardour of the Romans, abandoned their camp, and left them a free passage into the country. The British general, finding it in vain to resist the fortune of the Roman arms, dismissed all his forces, retaining only four thousand chariots to harass the Romans, and to endeavour to cut off all supply of provisions, by carrying off the corn and cattle that lay in their route: this conduct made Cæsar very cautious how he advanced, for fear of sallies from the woods, and other ambushes; and determined him to keep his men as much as possible in a body; so that, not daring to make the least excursion in search of provisions, they suffered great distress in their march; but they plundered and burnt all the villages they found in their way.

While Cæsar was on his march, the Cenimagni (the inhabitants of Surry) finding that the Trinobantes, by their treaty with the Romans, were freed from the calamities of war, and lived quietly under Cæsar's protection, determined to follow their example, and accordingly sent an embassy to Cæsar to

to make their submission; and, from the deputies of this people, he gained intelligence that the capital* of the British general lay only at a small distance; Cæsar immediately determines to attack it with all his force, hoping that the reduction of this place would complete his conquest, by putting an end to the war. Cassivellaunus had fortified this city, as it was called, (which in effect was no more than a fortress in the middle of a wood) with a ditch and a rampart, which, added to the natural strength of the situation, made it appear very formidable, as Cæsar himself confesses; however, he ordered it to be briskly stormed at two different places, and the Britons not being able to stand the fury of this double assault, fled through the avenues on the opposite side of the wood, leaving behind them a great quantity of corn and cattle, Cassivellaunus having made this a general magazine of provisions, and a retreat for his subjects, with their herds and flocks. The number of Britons killed and taken prisoners on this occasion was very considerable. The defeat did not prevent the brave Cassivellaunus from attempting to carry into execution, a scheme he had long meditated for the service of his unhappy country, and which, had it succeeded, must have greatly distressed, if not totally ruined the invaders. Cæsar had left his navy entrenched within his camp on the Kentish shore, and was now with the main body of his army upwards of eighty miles distant from it. Cassivellaunus judged this a most favourable opportunity of seizing and destroying their navy, and thereby of cutting off all hopes of retreat, the securing of which he knew the Romans had always strictly attended to; to accomplish this he sends his orders as commander in chief of the confederacy, which was not yet dissolved, though it had suffered greatly by defection, to Cingetorix, Cornelius, Taximagulus, and Segonax, four Kentish princes, to collect their forces together privately, but with all expedition, and suddenly to storm the enemy's entrenchments: these orders were executed without delay; but, unfortunately, not with that success that he expected: for Cæsar had provided against such an attempt, and the fortifications were of sufficient strength to insure the safety of his fleet; relying on this, the Romans, instead of contenting themselves with defending their entrenchments from within, sallied out of the camp, repulsed the Britons with great slaughter, and took their commander in chief (prince Cingetorix) prisoner.

The unfortunate Cassivellaunus, quite dispirited by this new misfortune, by the almost total defection of his countrymen, who now went over to Cæsar in bodies, by the desolation of his own territories, and by the ill success of his arms, determined to provide for his own safety by making his peace with Cæsar, which he easily obtained through the mediation of Comius, to which Cæsar's desire of returning to Gaul at this season of the year, must have greatly contributed; and, in fact, it was as

much his interest to grant peace to the British general as for him to sue for it; for, besides the approach of winter, the Gauls were ripe for a revolt, which laid him under a necessity of returning to the continent; and he was too great a politician to leave all his allies in Britain in the power of Cassivellaunus, and to retire with the reproach of an unfinished conquest, when he had it in his power to complete it in his own idea, on such advantageous terms by an honourable peace†. The conditions of the treaty which Cæsar entered into with Cassivellaunus, and the Britons in general, were, that they should pay an annual tribute to the Roman state, and deliver a certain number of hostages as a security for the performance of these conditions; to this was joined a private clause that respected Cassivellaunus only, who engaged that Mandubratius should remain unmolested in the possession of his dominions. A general pacification having thus taken place, Cæsar made all possible haste to his naval camp, and as soon as his fleet was ready, he put his army on board, with his hostages, stowing them in the best manner he could; for he had scarce ships enough to transport them; and set sail about the middle of September (having been on this island near four months), and arrived safe on the coasts of Gaul, after a very quick passage.

This second expedition of Cæsar's was not less inglorious than the first; for though he had ventured further up into the country, and had subdued and formed alliances with many of its states, yet he did not keep possession of one foot of ground, nor reap any solid advantage for his country; nay, so uncertain was he of his superiority over the Britons, that he durst not trust himself to winter on the island, nor even venture to leave a part of his army in garrison to keep them in subjection to the Roman arms; but retired more like a defeated general than a conqueror: and all the effect of this enterprize seems to have been the debauching several of the states of Britain from the common cause of liberty, and, at the expence of much slaughter and devastation, to have reduced the whole island to a temporary submission, entered into for their present safety, and which he took no measures to secure the continuance of a moment longer than he remained amongst them: the only merit, therefore, he could justly claim, was the having carried the Roman arms beyond the boundaries of the ocean, which was never before attempted.

On his return to Rome, he offered a corslet of British pearls at the shrine of Venus Genetrix, from whom he was said to be descended; and, that he might fix a lasting and public remembrance of his expeditions against Britain on the minds of the Romans, he employed his prisoners in adjusting the tapestry scenes of the theatre, on which the victories he gained over the Britons were painted: others of a more robust constitution were

* This capital is supposed to have been situated where St. Albans now stands, which is about twenty miles from the place where Cæsar forded the Thames; but it admits of some doubt, from Cæsar's complaining that his men were greatly fatigued and harrassed by long and painful marches; and that the Britons had driven off the cattle from whole countries through which he passed; which expressions can hardly be adapted to the small extent of twenty miles.

† I have adopted the opinions of the best historians in this account of the motives that induced Cæsar to treat with Cassivellaunus, in opposition to the partiality of Smollett, who mentions this event as a mark of great condescension in Cæsar; while some authors, and even his countryman Guthrie, insinuates, that Comius, instead of acting as a mediator for Cassivellaunus, "was secretly employed by Cæsar to bring about this treaty, in order to save appearances."

employed

employed in carrying the sedans of the senators and principle nobility*.

The Roman authors, as well as our own, are wholly silent on the subject of the payment of the tribute agreed to be sent to Rome by the Britons: it is, however, highly probable, that it was punctually paid during Cæsar's time; but after the death of that invader of the natural rights of mankind (who fell a victim to the same spirit of lawless ambition that led him to the British isles, and instigated him to aspire to a supremacy over that commonwealth he was born to obey), the Roman state was so shaken with factions and civil wars, that the affairs of Britain were wholly neglected, and the tribute neither demanded nor paid for twenty years; nay in all the difficult partitions of the dominions of Rome, from the death of Julius Cæsar to the accession of Augustus to the Imperial dignity, no mention is made of Britain; but, after he was firmly settled, he undertook to compel the Britons to stand to their treaty with Julius Cæsar: and for this purpose, he advanced twice as far as Gaul, in his way to Britain; but was diverted from his design the first time by a revolt in Pannonia, and the second by an embassy from Britain to sue for peace, which he granted without hesitation. The Roman historians say, that Augustus was desirous rather of strengthening the Roman empire by friendly alliances, than of extending it by conquest; and therefore he granted peace to the Britons through a principle of policy: yet he put them in continual alarm, threatening them with invasion whenever they neglected to pay the tribute; but was always appeased by the presents that were sent him from their governors. Thus the Britons maintained a friendly correspondence with the Romans during the reign of Augustus, and of his successor Tiberius; paying only a light duty on the merchandize they carried to Gaul, and in other respects preserving their independency.

As to the state of affairs in Britain after the departure of Julius Cæsar, we have little or no account on record; all that we can collect is, that Mandubratius, conscious of having rendered himself odious in the eyes of his countrymen by deserting his country, soon followed the fortune of Cæsar, and that Cassivellaunus severely chastised the Trinobantes for joining with the invaders of their country. He died about seven years after Cæsar quitted the island, and was succeeded in his paternal dominions by his nephew Tinuantius; for there was now no general confederacy under one chief. Tinuantius was succeeded by Cunobelin his son, who followed his father's steps in courting the protection and favour of Rome. At this period the Britons, by having frequent intercourse with the Romans, insensibly grew enamoured of the Roman arts, and began to cultivate them. For this purpose, several of the British princes resolved to reside at Rome, and others sent their sons there for education.

Cunobelin was the most powerful prince of Britain: he was properly prince of the Cassivellauni; but these had extended their conquests so far since Julius Cæsar's time, that they had subjected to their obedience the Trinovantes, the Dobuni, and several other leading provinces; so that he was in effect, though not nominally, the first king of Britain: and, amongst other strong proofs of his regal authority, we find that he coined money to pay the duties imposed by the Romans on the British merchandize exported to the Roman territories†; and, by his prudent and peaceable administration‡, the British isles enjoyed a series of uninterrupted tranquility till the reign of Caligula, who succeeded Augustus in the Roman empire, including a period of ninety years from the time of Julius Cæsar's second expedition.

Caligula was a vain, inconstant, and cruel tyrant: it was therefore no wonder that he readily seized the first favourable pretext for breaking with the Britons, which was the restoration of Adminius the son of Cunobelin, who, being banished from Britain for exciting an unnatural rebellion against his father, fled to Rome for protection, and completed his crimes by persuading the emperor to undertake the conquest of his country, encouraging him, at the same time, with the flattering prospect, that the very appearance of the Roman emperor would be sufficient to reduce the Britons. A conquest so important, and to be accomplished on such easy terms, suited the disposition of the vain-glorious and cowardly Caligula, who assembles an army of two hundred thousand men, and advances in person to the coast of Belgic Gaul, with a design to invade Britain||; but being informed, as he was embarking his men, that the Britons were drawn up in order of battle, ready to receive him on the opposite shore, he declined an enterprize which seemed to threaten more danger than he had apprehended. However, that he might give some colour to his intended ridiculous triumph on this occasion, he ventured out to sea in his galley, accompanied by some of his officers; and, after slightly surveying the British coast, returned with all the pomp and parade of a conqueror; and haranguing his soldiers as if he was preparing them for some important enterprize, he sounds a charge as if an enemy was in sight; and, upon a private signal given to his principal officers, the astonished troops are set to gathering of shells on the sea-shore, which he sent to Rome as the trophies of his victory, and wrote to the senate to decree him a triumph; but, abandoned as the Roman senate was at this time, it appears that they murmured against the insolence of this demand, and complied with it rather from a principle of fear, than from any belief of his having merited such a decree. As a further monument of this foolish expedition, he erected a tower on the Belgic coast, almost opposite to Norfolk, which he called *Turris Ardens*, in allusion to its design of being a

* Smollet says they carried the emperor's sedan; but it should be remembered, that the Romans were not governed by an emperor till long after this period.

† Camden's *Britannia*.

‡ It was probably by his orders that the inhabitants of the sea-coasts gave all possible assistance to the Roman troops under Germanicus, when they were wrecked on their return from the victory they had gained over Arminius on the banks of the

Nº. 2.

Weser; and that, after the most hospitable reception, they were sent home in safety, in vessels provided for that purpose, by the Britons.

|| Anno Domini 39. A modern historian, after having promised the most precise exactness in the chronology of his history, fixes the date of this event A. D. 16. and continues the error, through several subsequent occurrences, to the forty-third year of Christ.

light-house for ships at sea. This tower was repaired by Charlemagne, and still exhibits a curious relick of Roman antiquity*.

The friendly intercourse that the Britons had so long maintained with the Romans, was now found to be productive of the most fatal consequences; for their fondness for the Roman arts, and their importation of its luxuries, had so debauched and enervated them, that their natural love of liberty and independence was greatly degenerated, and aversion to the Romans considerably abated; so that great numbers of Roman merchants, and several officers who collected the customs in Britain, resided there, and not only became well acquainted with the situation, strength, military force, and customs of the natives, but, considering it as a country that must one day be reduced to a Roman province, found means to foment divisions and animosities among the chiefs; thereby dissolving that union which the Romans well knew was the only bond of security to any state in time of danger. Thus the Britons caressed the enemies of liberty to their own ruin; and while they were cultivating the fine arts and polite manners, they insensibly sunk into indolence and supineness, which paved the way for subjection; and they lost the liberty they had so long enjoyed, before they were sensible of their danger, or of the degeneracy of their manners.

Claudius, the successor of Caligula, was naturally of a timid, wary disposition, and, according to the testimony of the best Roman historians, gave himself up entirely to the management of his favourites, who, either desirous to raise the reputation of their master, or, which is most probable, to share the profits of such an important conquest, persuaded him to undertake the reduction of Britain; and, as he affected the character of acting with justice and moderation, they took care to furnish him with proper pretexts for commencing hostilities against Britain. The first was in the character of Beric, a British prince, who represented himself to the emperor as having been unjustly exiled, and in revenge offered Claudius his interest in Britain to facilitate his conquest of it; assuring him that his party was very formidable there†. While Claudius was debating this subject with his favourites, the British princes send an embassy to demand the British fugitive Beric and his adherents, and to complain of the favourable reception and entertainment given to these rebels. This embassy the minions of his court persuade him to treat with contempt, and to put them in mind of their antient subjection to Rome, by demanding the long-neglected payment of the tribute, the refusal of which would prove a second public and popular pretext for invading them. The British princes highly resented the cool reception of their ambassadors, and rejected the demand with disdain; prohibiting, at the same

time, all further intercourse with the Romans. Shortly after this, Claudius gives the command of his army in Gaul to Aulus Plautius, a citizen of distinguished valour, who had been trained to arms from his youth, and had acquired as much reputation in the senate as in the field, and orders him to transport a considerable force to Britain; enjoining him, if he found a probability of such success as would merit triumphal honours, to give him early information, that he might come and reap the fruits of victory in person.

Plautius, in obedience to these instructions, drew down a large body of troops to the sea-shore; but when his embarkation began, the soldiers mutinied, openly declaring that they would not go to war beyond the limits of the world. The emperor, hearing of this mutiny, sent Narcissus, a freed slave, and one of his creatures, to endeavour to appease them, and to persuade them to obey his orders: but this courtier was universally despised; and the soldiers, knowing him to have been a slave, were fired with indignation when they saw him ascend the rostrum, which was sacred to their brave generals, who had shared in common with them the dangers and fatigues of war. In vain he attempted to harangue them; for his voice was lost in the general cry of "To Saturnalia," alluding to the public festival so called, in which the slaves are allowed to assume the habits and the characters of their masters. This incident would probably have put an end to the expedition, if a spirit of generosity had not determined the soldiers to make a voluntary submission to their general, in order to mortify the court sycophant. Their accustomed valour and discipline once restored, Plautius eagerly embraced the happy change, and, without giving them time for further reflection, hastened their departure; and dividing his forces into three bodies, embarked them from three different ports, that if one should fail, this might not prevent the success of the others. The embarkation put to sea with a contrary wind, which drove them back; but the wind veering about to the south-east, and a phenomenon, supposed to be the Aurora Borealis, appearing in the sky, they regarded it as a happy omen; and under this persuasion set sail again with reanimated ardour, and landed in Britain without opposition‡. The natives, on the news of a mutiny which they apprehended still subsisted in the Roman army, had disbanded the troops they had drawn down to the sea-coasts for its defence||; and, on receiving advice of their landing, either pursuing their former false policy of fighting in particular places, or determined by this means to weary out the enemy by painful marches, instead of joining in one general body, and advancing to oppose the Romans, retired to the inland parts of the country, and divided their forces into several distinct parties: but the two most considerable corps were under the command

* The remains of this building may be seen at low-water near Boulogne; but are by no means so perfect as Carte, and Smollett from him, has asserted, who both copy the errors of French writers on this subject.

† Historians are greatly divided in opinion concerning this Beric—Rapin imagines him to have been the identical Adminius that formerly fled to Caligula,—and Smollett, on his own authority alone, positively asserts, that he was a chieftain among the Dobuni of Dorsetshire; but the most probable opinion is, that he was a creature of Adminius, employed by

him, as he durst not return to Britain, to raise an insurrection in his favour on the death of his father Cunobelin, who was succeeded by Caractacus and Togodumnus, the younger brothers of Adminius; and that, being defeated, he was banished by these princes: and certain it is, that Adminius at that time resided at Rome. *From the Description of a Greek Medal in Camden.*

‡ A. D. 43.

|| The most remarkable occurrences of this embarkation are wholly omitted by Smollett.

of Caractacus, and Togodumnus his brother, the sons and successors of Cunobelin. To this division of their strength they owed their ruin: for Plautius, after defeating several little parties on his march, advanced as far as Oxfordshire, where he attacked Caractacus, whom he defeated and put to flight; not long after he met with the same success against Togodumnus. The two brothers being thus routed, the whole country submitted; and Claudius, leaving a strong garrison to secure its subjection, marched on to the banks of the Isis, on the opposite side of which a large body of the Britons, headed by Caractacus and Togodumnus, were carelessly encamped, imagining themselves out of all danger from the depth of the river, which they well knew was not fordable even by cavalry. But, unfortunately for them, Plautius had in his army a considerable corps of Germans, who had been trained up in the art of swimming across rivers in their armour; these took to the river, which so astonished the Britons, that they quitted their station, and retired in great confusion*. The passage thus opened, a body of the Roman infantry, animated by the example of the Germans, soon followed them, under the command of Flavius Vespasian, afterwards emperor of Rome, and his brother Sabinus. These renowned generals went in search of the enemy, who had retreated to the neighbouring woods; and coming up with them, a slight skirmish ensued, in which the Britons were worsted; but night approaching, the Romans did not think proper to improve this advantage: the next morning the Britons were so far from being discouraged, that they attacked the Romans, and charged them with such impetuosity, that they broke through their ranks, thereby rendering their boasted discipline useless; and would have obtained a complete victory, if C. Sidius Geta, a general officer, who was supposed to be taken prisoner, had not disengaged himself from the enemy with his whole corps. This experienced officer, observing that the Britons, thinking themselves secure of victory, acted without caution, wheeled about with his troops, and attacked them in the rear, while they were pursuing the advantage they had just gained. This unexpected blow obliged them to face about, and gave the main body of the Romans, which had been engaged, time to recover; and by this means the unhappy Britons soon found themselves charged in front and rear; and after an obstinate resistance, they were obliged to take to flight. This action must have been very desperate; for Vespasian himself was surrounded, and had certainly lost his life, if his son had not bravely rescued him at the hazard of his own safety; and the Roman senate were so sensible that the fate of the day was decided in their favour by the gallant behaviour of Geta, that they decreed him a triumph, though he was not an officer of that rank to which they ordinarily confined that honour.

The British generals, after this overthrow, retired along the banks of the Thames, following the course of the river towards the sea; and being well acquainted with the fordable places, passed over it with ease, while the Romans, who pursued them, advanced very slowly, being greatly em-

barrassed by the fens and marshes that lay in their way, and made their march, encumbered as they were with heavy armour, very tedious and painful. At length the Germans discovered a ford, and the rest of the army either made or found a bridge at some little distance, over which they passed and surrounded the British forces, which were once more vanquished, and Togodumnus, one of their commanders in chief, slain on the spot.

The Roman general, though he had gained so many signal victories, yet had sustained considerable losses, whereby his army was diminished; and the death of Togodumnus, who was beloved by the people, had raised such a spirit of resentment in the Britons, that he dreaded the impending storm, and prudently concluded, that this was the proper time to send for a reinforcement to Rome, and to intreat the emperor to come and partake of the dangers and glory of the enterprize. In the mean time he was greatly distressed for provisions, and must inevitably have perished, if it had not been for the former treachery of the people of Oxfordshire, who, by their infamous submission, had permitted a Roman garrison amongst them, and thereby made that county a secure retreat, and a magazine of provisions for the enemy.

The emperor had prepared a prodigious armament against Britain, and waited only till his general should send him word that the reduction of the island was worthy of the Imperial arms; he therefore set out with all expedition for Ostium, where he took shipping for Marseilles, and from thence he came by land to Boulogne, and embarked his army for Britain, where he arrived safe in the month of August, 44, and landed at Sandwich, then called Portus Rupinus. As soon as his soldiers were ready, he marched to join his army under the command of Plautius, which was encamped on the south-side of the Thames: the junction of the two armies formed a more considerable force than any the Britons had yet seen, so that they prudently declined coming to an engagement. Claudius, taking upon him the command of the whole army, marched up to them, and leaving them no opportunity of retreat, forced them to a general action, in which they were totally defeated: he then made himself master of the city of Camelodunum, now Malden in Essex: from thence he marched into Middlesex, and by this time the fame of his valour and of his great moderation, joined to the dread of so powerful an army, brought in vast numbers of Britons to his camp, with tenders of submission; these were followed by whole provinces; so that here we may justly fix the date of the Roman conquest. The emperor's clemency to the vanquished, whom he left in quiet possession of their effects, was, by this unhappy, but grateful, people extolled to the skies; and they went so far as to erect temples to his honour, in which they adored him as a deity; while he, highly satisfied with his expedition, returned to Rome, leaving the command to Plautius. There he was saluted with the joyful acclamations of a people ever fond of conquest, but who now were quite intoxicated with glory, esteeming it the highest acquisition to have reduced a warlike people be-

* Some historians assert, that the Britons waited the attack of the enemy, and did not retire till they had sustained considerable loss: but this is highly improbable; for if they had

not fled, astonished at the sight of the Germans swimming across the river completely armed, we should have had some account of their annoying them with their javelins in their passage.

yond the limits of the ocean, to their obedience. In the first transports of their joy they honoured him with the surname of Britannicus, and decreed him a most magnificent triumph*. Plautius, in his capacity of Cæsar's governor of Britain, received the homage of the states of Britain that continually came over to him, and sent out Flavius Vespasian on sundry expeditions, in which he acquired great honour; he fought thirty battles with different parties of the unsubdued Britons, took the Isle of Wight, discovered and conquered the islands of Orkneys, and thus laid the foundation of his future great fortune. Soon after this, Plautius was honourably recalled to Rome, and received at his entrance by the emperor in person, who, to do him signal honour, rode on his left side to and from the Capitol.

Plautius was succeeded in the government of Britain by P. Ostorius Scapula†, who, on his arrival, found the affairs of the Romans in great confusion; the unsubdued Britons, under Caractacus, having taken the advantage of the interval betwixt the departure of Plautius and the appointment of a new governor, to make continual incursions into the counties that were in alliance with the Romans, and to harass the separate corps of the Roman army, which was no longer formidable to them than while united under one general. Ostorius landed in Britain towards the end of October; his coming so late in the year gave the Britons room to hope that, like his predecessors, dreading the horrors of a winter campaign, he would remain inactive for the remainder of that year. This encouraged them to continue the hostilities they had so long carried on with some success, and not without a faint prospect of recovering their liberty: the Roman general, however, either apprized of their secure reliance on his remaining quiet during the winter, or determined at once to strike a terror into the British forces by a sudden approach, marches with a large body of the Romans, in search of the enemy; and, having defeated the first party that stood their ground, he pursued the advantage without remission, and meeting with them in small divisions, easily defeated them; and, effectually to prevent any future revolt, he immediately disarmed all the Britons that were in subjection or in alliance with the Romans, and then built a line of forts along the banks of the Avon and the Severn. About the same time, having required the Iceni (a very powerful people inhabiting the counties of Suffolk, Norfolk and Cambridge) to deliver up their arms, they highly resented this attempt to reduce them to the condition of slaves, after they had so long proved themselves faithful allies, and determined to oppose it with all their force. With this view they appointed a general rendezvous in Cambridgeshire, and formed a camp in a very advantageous position, which they fenced with a rampart of earth and trees, and left but one avenue or narrow pass to enter at, which they paved with sharp flints, in order to preclude the approach of the

Roman cavalry; but these precautions did not in the least abate the ardour of the Roman general, who attacked the camp with great intrepidity, and finding the cavalry were of no use, ordered them to dismount and support the infantry that began the assault. The Britons made a noble defence; but after an obstinate engagement, attended with great loss on both sides, their rude intrenchment was forced, and the Romans took possession of their camp sword in hand. After this victory, Ostorius advanced against the Cangi, the inhabitants of Shropshire, who had taken the field; but these people, following the example of their ancestors, would not give him an opportunity of coming to a general engagement; but concealing themselves in the woods and other ambushes in detached parties, harassed the Romans on their march by continual surprizes, often cutting off their advanced guards, and then retreating to their hiding places. By this method they drew the Roman general as far as the coasts opposite Ireland, when he was recalled on a sudden to suppress a more dangerous insurrection of the Brigantes, the inhabitants of Yorkshire, Lancashire, Northumberland, Cumberland, and Westmoreland. After an obstinate engagement, which was begun by the Brigantes, who sallied out upon the Romans from Hatfield forest, they were totally defeated near the place where the town of Ostorfield now stands‡. The commanders and such others as had been most active in this rebellion, as it was termed by the Romans, were put to death. Ostorius had no sooner put an end to these disturbances in this part of the country, than he was alarmed with a more formidable commotion in Herefordshire and South Wales. The inhabitants of these provinces, known by the appellation of the Silures, had drawn together a considerable force, the command of which they bestowed on the renowned Caractacus, who was the only British general of his time that had acquired any reputation against the Romans. It does not appear that these people had ever been subject to the Roman power, and probably their distance from the seat of war had hitherto prevented them from engaging in it; but now they thought themselves in imminent danger from the extent of the Roman conquests, the increase of their power and influence in the island, and the general plan they had laid down of reducing the whole island to a Roman province. They therefore united in the common league for their mutual defence; and the army they set on foot was so powerful, that Ostorius found himself under a necessity of making use of his legionary troops, consisting of Roman veterans, in his expedition against these people. Before he set out, in order to guard against the consequences of a defeat, he regulated his affairs in such a manner as might, at all events, secure the Roman conquests, and prevent insurrections in his absence. For this purpose he makes Cogidunus, king of the Dobuni, a citizen of Rome, receives his homage in the name of the senate, and confirms him in the possession of the counties of Gloucester and Oxford;

* Eutropius and Orosius tell us, that all this time the Orkney islands in Scotland were subjected to the Roman empire by Claudius; but it is most probable that this conquest was made by Vespasian, his general, and only added to Claudius his other titles in the inscription on his medals; for his stay on the island was too short, being in all but fifteen days;

and the Orkneys, or Orcades, were too barren and insignificant to merit the emperor's notice.

† A. D. 50.

‡ This town is situated between Littleborough and Doncaster, and is supposed to have taken its name from Ostorius.

Oxford; adding likewise some of the Belgic colonies to his dominions. By this stroke of policy a powerful and valiant prince was secured in the Roman interest, which he never swerved from, all their conquests on the side of the Severne were guarded by him, as the creature of Rome, against the incursions of the Silures, and all attempts to shake off the Roman yoke in these parts rendered impracticable by the vigilance of their new ally. At the same time, to secure his conquests in the East, Ostorius establishes a strong colony at Malden in Essex; and the county of Middlesex being in perfect subjection to the Roman state, all the tract of land lying between the Thames and the sea was reduced to one province, distinguished by the name of *Britannia Prima**.

The Roman general, having made these prudent dispositions, advanced against the Silures, who depended greatly on the valour and experience of their general, and the number and strength of their forces. Caractacus, like Cassibelan, had been raised to the dignity of commander in chief of a powerful confederacy by his personal merit alone, and had like him peculiarly distinguished himself by supporting a series of adverse fortune with heroic fortitude. Under such a general, it was no wonder that the Britons prepared to encounter the Romans with uncommon ardour and intrepidity, and once more indulged the pleasing hope of rescuing their country from the tyranny and oppression of the ambitious Romans.

Caractacus, like an experienced general, transfers the seat of war to the country of the Ordovices†, probably because the county of Shropshire afforded him a more advantageous post than any other; for here he pitched his camp on the top of a very high mountain, near where the river Colun, or Clun, falls into the Teme, and divides Herefordshire from Shropshire. This mountain was very difficult of access, and, to add to the natural strength of the post, Caractacus fortified it with ramparts of stones and sharp-edged flints. In this position, with a deep river in front, he determined to wait the approach of the Romans, having thrown every difficulty in their way that military knowledge could suggest. When the Romans were in sight, in order to animate his men to do their duty, he harangues them in the true spirit of liberty; and tells them, that the hour is fast approaching that must restore them to freedom and independence, or reduce them to abject slavery: he exhorts them to reflect on the glorious examples of their renowned ancestors, who drove the ambitious Cæsar from Britain, and delivered their country from Roman violence and oppression: he gives the leaders of each clan or division a strict charge to ride up and down the field of battle, and exhort the troops to exert their utmost valour in this important struggle to save their country; and, lastly, he orders sacrifices to the gods, imploring success on his arms. The British forces declared their approbation of their general's conduct, and their resolution of dying in the defence of their liberty, by loud acclamations of joy; which astonished the Roman general, who was determined, however, to surmount all difficulties, and, by

one decisive blow, at once to put an end to the war and the freedom of Britain. With this view he gives the signal for the attack, and his troops soon passed the river, and gained the foot of the hill on which the Britons were encamped, who received them with such intrepidity and fury, that great numbers of the Romans were slain by their javelins in attempting to force the ramparts. At length, however, they had recourse to the tortoise, by means of which they mounted on the ramparts, and soon overthrew them, as they were composed only of stones badly cemented with clay. This being effected, the Roman legions poured in upon the Britons, and both armies came to a close engagement. The battle was fought with great obstinacy on each side, and remained doubtful for some time. At length the Romans gained the advantage, the legionary troops making a most dreadful slaughter with their swords, which decided the fate of the day in their favour; and, to add to the misfortunes of the Britons, the wife and daughter of their brave general were taken prisoners, and his brothers were obliged to surrender at discretion. As for the unhappy Caractacus, he fled for protection to Cartimandua, queen of the Brigantes. This princess had always been well affected to the Romans, and besides bore a secret hatred to Caractacus for having taken the part of Venutius, her husband, in the civil dissensions which had arisen between them, and which had caused frequent disturbances in their dominions.

The bad policy of Caractacus in flying to her, seems to have been the effect of instant despair, which leaves no room for deliberate reflection. The event proved the imprudence of this step; for this base woman loaded him with chains, and in this indignant situation sent him to the Roman general. Thus this great man, who for nine years had supported the dying remains of that noble confederacy, which was entered into under Cassibelan, for the defence of the common cause of liberty, and who on every occasion had given the most signal proofs of his wisdom and personal bravery, at last fell a victim to the resentment of a cruel woman, and left to posterity a striking example of the debility of human prudence under circumstances of complicated distress.

The military reputation of this illustrious captive had long since been well known and admired at Rome; and no sooner did the welcome news arrive of his defeat and captivity, than the whole city expressed an eager impatience to see the man who had alone supported the weight of the Roman arms for so many years. The emperor, to gratify the curiosity of the people, as well as to enhance the merits of his exploits in Britain, consented to a measure unworthy the dignity of a Roman emperor, ordering the unhappy Caractacus and his whole family to be sent to Rome in chains, there to be exposed a public spectacle to the populace: but this scene, which was intended only to gratify the pride and ambition of Rome, proved in the end as glorious to the British general as his former conduct in the field.

On the day appointed for the exhibition of the noble captives, all Rome attended as at the cele-

* Most probably because it was the first discovered, and the first conquest the Romans made on the island of Britain.

Numb. III.

† The inhabitants of different parts of Wales.

bration of the public games. To grace the solemnity the Prætorian guards were drawn out under arms, and the emperor was seated on a magnificent throne, and the famous Agrippina, his empress, on another, adorned with all manner of military trophies*. The procession was opened by a long train of the vassals and dependants of the British prince, after which the spoils and trophies taken from the Britons during the reign of the emperor were pompously displayed; then followed the family of Caractacus; and, lastly, the general himself, who, with a steady countenance and noble deportment, defied the malice of his fortune; and boldly approaching the emperor's throne, addressed him in these ever-memorable words, which Tacitus, their own historian, has preserved on record.

"Had my moderation been adequate to my birth and fortune, Rome might have beheld in me this day not a captive, but a powerful ally; nor wouldst thou, O Cæsar! have disdained to rank in the number of thy friends a prince of royal descent, the commander of many nations—but my present condition reflects dishonour on me, while it adds to thy glory. I once was master of men and arms, of horses and chariots of war, of riches and power; can you wonder then that I sought to preserve them, and unwillingly parted with them? Though the Romans would be universal masters, does it follow that men must submit to lose their possessions tamely? Had I poorly surrendered myself at the beginning of the war, neither my misfortune nor thy glory would have been rendered so conspicuous as they are this day.—Put me to death, and both will soon be buried in oblivion; but grant me my life, restore me my family, and this action will stand on record an eternal monument of thy clemency."

It is no wonder that Claudius, who had already distinguished himself by many acts of moderation, should be affected by the manly address of Caractacus: he immediately set him and his whole family at liberty. A senate was then held, in which the conquest of the Britons under Caractacus was extolled to the skies, and this victory compared with the brightest periods of the Roman glory.

The honour of a triumph was decreed to Ostorius, whose reputation from this very period began to decline; for the Britons, fired with indignation and resentment at the unhappy fate of their beloved hero, and having dearly bought a knowledge of the Roman discipline, began to make war with better judgment and more success than formerly; while the Romans, flushed with continual success, grew careless and indolent. The Britons, observing this, fell upon the legionary cohorts that had been left to complete the forts that were erecting in the country of the Silures; and, if the neighbouring garrisons had not sent out some detachments to their relief, they must have been cut to pieces. In this skirmish the Romans lost the commander of the cohorts, eight captains, and a great number of private men. Soon after this the Britons attacked the Roman foragers, and defeated them; after which they ventured to make head against Ostorius himself, and maintained the battle

a whole day against his renowned veterans; and, when night approached, they retired with very little loss.

History is silent with respect to the commander of the Britons in these encounters; all we know with any certainty is, that it was the Silures who continued obstinate in the defence of their liberty, and gained the first advantage over Ostorius during the captivity of Caractacus; and that, by distributing the spoils of war among their neighbours, they drew them in to join them against the Romans. Their opposition had so good an effect, that Ostorius died, as it is supposed, with grief, on seeing himself unable to terminate the war with honour, and to stop the progress of their arms. Aulus Didius was immediately sent over to supply his place†, who, to his great surprize, found matters in a worse situation than he had expected; Manlius Valens, a tribune, who had taken the command upon him after the death of Ostorius, having been defeated by the Silures; who, encouraged by this success, were making inroads into the Roman province distinguished by the name of Britannia Prima, and extending their arms with such success, that the new general thought himself obliged to remonstrate against the conduct of Manlius, in order to enhance the merit of his checking the ardour, and for a time putting a stop to the victories of the Silures.

Nearly at this time the emperor Claudius died, and was succeeded by Nero, a prince who was not in the least ambitious of military glory, and who probably would have declined all further attempts against Britain from the moment of his accession, but that the respect he bore the memory of Claudius obliged him to keep up the appearance for a time of treading in his steps, especially as he was so well beloved by the people.

While this change happened at Rome, the face of affairs began to wear a still more pleasing aspect in Britain; for Venutius, the husband of Cartimandua, was now come to an open rupture with her, the breach between them being probably greatly widened by her treachery to Caractacus his friend, whose office he now took upon him; and the Britons once more found themselves under the command of a general who was little inferior in military reputation to Caractacus himself. Cartimandua had hitherto prevailed with him to remain in alliance with the Romans; but their continual partiality to her in all their domestic quarrels, at last determined him to quit this shameful alliance, and leave his wife, with whom he was so justly disgusted, to pursue her fortune with the Romans. The enraged queen, relying on the services she had done them, and imagining herself secure in their protection, soon proceeded to give fresh proofs of her infamous disposition: her husband's brother and kinsmen were put to death at her instigation, which so exasperated the neighbouring states, that they entered into an alliance with Venutius; and she found herself attacked at once by a powerful army, partly composed of her own subjects; and, to render herself still more odious to her subjects, she now admitted to her throne and bed a menial servant of her husband, whom she had long in-

* It is most probable that this was done with a view of making the Roman ladies appear as warlike, in the eyes of Caractacus and his family, as the British heroines, who often led armies to the field, and sustained all the dangers and fatigues of war.

† A. D. 53.

dulged a secret passion for, and had lately advanced to the rank of general of her army. This last step completed her ruin; she found herself universally abandoned by her subjects, and obliged wholly to depend on the assistance of the Romans, who fought an obstinate battle in her defence, and with great difficulty prevented her falling into the hands of her husband. Several slight engagements happened after this upon her account; but all that her allies could do was to guard her person; for as for her dominions, Venutius got possession of them with very little trouble, being invited to them by her own subjects.

During these transactions, Didius, the Roman general, died of extreme old age, which had prevented his taking the field in person for some time before his death. He was succeeded in his command by Veranius, who was an officer of great reputation, and a man who meditated very important projects against the Britons, which, from his great success in other enterprizes, there was great reason to imagine he would have put in execution; but his ambitious views were all frustrated by his death, which happened before he had performed any memorable exploit on the island: so that his vain-glorious boast in his will, that, if he had lived two years longer, he would have reduced Britain to a Roman province, reflected little honour on his memory. Suetonius Paulinus was nominated to succeed him as governor of Britain*. The people of Rome entertained the most flattering hopes of this general's success, who had already distinguished himself in a very singular manner, being the first Roman that had passed Mount Atlas, and carried an army to the banks of the Niger, being superior in the art of war to most men of his age, and having no equal but Corbulo, whose late conquests in Armorica served as a spur to Suetonius, who was determined to eclipse his reputation by performing more meritorious exploits in Britain. The first two years of his government he spent in reducing the Ordovices and the Silures, and in fortifying his frontiers; and his army lying in North-Wales, the country of the Ordovices, he determined to subdue the Isle of Anglesey, which was the chief seat of the British Druids, and a common asylum for the enemies of Rome, by which it was become very populous: this island is separated from the main-land by a very narrow channel which flows from the sea. He transported his infantry over this stream on a sort of wicker-boats, great plenty of which he found in the country†; while his cavalry partly forded it, and in some places were obliged to swim over it. On his landing he found the rude islanders, who were most devoted to the superstitions of their religion, drawn upon the shore in order of battle, their women running up and down in a distracted manner, with their hair dishevelled, and lighted torches in their hands, and with them the Druids, pouring out the most bitter imprecations, and with uplifted hands imploring the vengeance of heaven on their adversaries. This uncommon spectacle struck a panic into the Roman troops, who at first stood motionless and transfixed with horror, while the enemy sent a shower of darts amongst them,

which did great execution. At length, recovering from their confusion by the remonstrances of their leaders, who represented to them the shame of being appalled by women and priests, they furiously charged the natives sword in hand; and, after a short resistance, became masters of the island. Suetonius, probably in detestation of their horrid sacrifices, which were universally known, threw the Druids into the very fires they had prepared for the prisoners they expected to take in battle; and, sensible that the Roman affairs could not prosper while this diabolical superstition remained, he pulled up and demolished the sacred groves, overturned their altars, and at once destroyed every mark of Druidism on the island. He then appointed a strong garrison, and ordered them to erect forts for the defence of this conquest, while he returns on a sudden with his army to settle an affair of the last importance, which threatened inevitable destruction to, and a total extinction of, the Roman power in Britain.

The avaritious and cruel disposition of Nero, and of his confident Seneca, had given rise to several innovations in the government of Britain, which the inhabitants were strangers to under the administration of Claudius, whose moderation had won the hearts of the Britons. Cruel and oppressive taxes were imposed, and the emperor's officers committed so many violences and extortions in collecting them, that the whole kingdom groaned under the weight of these grievances, from which event those provinces that had formed the earliest alliances with the Romans, were not excepted. Upon the least failure of payment they proceeded to military execution; and the natives were turned out of their habitations on the most frivolous pretences, to make room for the legionary troops. Usurers were permitted to lend them money on the most disadvantageous terms to pay their taxes with, and were authorized to seize their goods and cattle, if they were not punctually repaid. These acts of tyranny raised a general spirit of resentment, and made the whole nation ripe for a revolt; when an incident happened that at once kindled into a flame the long-concealed sparks of vengeance.

Prasutagus, king of the Iceni, to secure the protection and favour of Nero to his family, on his death-bed bequeaths his immense treasures to the emperor and his two daughters as joint-heirs. This piece of domestic policy had a contrary effect from that he intended, and proved fatal to his whole family; for no sooner was Prasutagus interred, than Catus Decianus, Nero's procurator-general, under pretence of taking possession of his master's legacy, seized upon all his effects in general in Nero's name, and suffered his dominions to fall a prey to the avarice and licentiousness of the Roman centurions. Boadicea, his widow, being a woman of great spirit and personal bravery, warmly remonstrated against these proceedings, and loudly complained of the injustice done to herself and her daughters: her complaints, instead of procuring redress, exasperated the procurator to such a degree, that he ordered her a punishment far more infamous in those days than death itself; he caused

* A. D. 59.

† It seems to be a gross mistake in our modern historians to maintain that Suetonius built flat-bottomed boats on pur-

pose for this expedition, when, by all accounts, the Britons were well supplied with wicker-boats, on which they had formerly transported troops as far as Gaul.

her to be publicly scourged, while the chastity of her two daughters was violated by the common soldiers. This tyrannous act of uncommon brutality and indignity to the wife and daughters of a great king, gave the alarm to the whole island; and that bond of union which had been so long cancelled, is once more revived. All private animosities being laid aside, the allies as well as the professed enemies of the Romans, in a word, the whole body of the people, combining to espouse the cause of this injured queen and her daughters, they soon raised a most formidable army*, which was headed by the brave Boadicea herself, who, animated with an ardent desire of revenge, exhorts the Iceni, her subjects, to take the advantage of the Roman general's absence, and to free themselves from slavery by putting their oppressors to the sword. Having intelligence that the brave Venutius was ready to join in the revolt, and that the Trinobantes were in arms, Boadicea thought it high time to break into action; and accordingly falls upon the Roman colony at Camelodunum, which was more carefully embellished than fortified: the garrison was surprised and put to the sword, after which a general massacre ensued, and continued for some days throughout the Roman province, when the most unheard-of cruelties were committed, and the most uncommon punishments invented to satiate the vengeance of an incensed people. Having totally destroyed this colony, and put the whole ninth legion of the Roman infantry to the sword, and finding that the general was at too great a distance to send any immediate succour to the distressed people, they continued their ravages, spreading universal devastation over the whole country, and practising every species of cruelty in every town that was subject to the Roman power; and having, in the course of this expedition, sacrificed about twenty thousand of the enemy, they at length suspended their resentment, and, after destroying Verulam, a very famous Roman municipium, they retired with immense booty to their different habitations.

But though this formidable army was thus in a manner disbanded, yet the confederacy was kept alive, and such early intelligence given to the several powers of every motion of the Roman army, that we shall find it was ready to take the field again at very short notice; for information being sent to Suetonius of the depredations already committed by the Britons, he laid aside his military operations in the Isle of Anglesey, the chief residence of the Druids, and with all expedition marched to London, rightly conjecturing that this furious commencement of hostilities was only the prelude to a general insurrection. On the first news of his approach, the confederate army of Britons was speedily assembled, and took the field under the conduct of the undaunted Boadicea, making forced marches towards London, with an intent to block up Suetonius in that city, or to attack him before he could receive any reinforcement from the small body of troops he had brought with him from the north. But the Roman general, finding the city of London was not tenable, had retired soon after his arrival to the Surry side, where his little

army was soon increased to the number of ten thousand, through the fidelity of the Belgic colonies to the Roman government: they likewise furnished him with provisions and all other military accommodations. The Britons, finding London abandoned, pillaged, and destroyed, and attributing the retirement of Suetonius to a false cause, construed it a precipitate flight; and Boadicea, flushed with her past success, having put to the sword one part of the Roman army commanded by Petilius Cerealis, and impressed such a dread of the valour of her troops on the mind of Poenius Posthumus, the commander of the second legion, that he durst not stir out of his camp, though Suetonius had sent him express orders to join the main body in Surry, was so elated with the hopes of victory, and confided so entirely on the superiority, as well as the bravery, of her troops, that she resolved to attack the Romans without loss of time. The Roman general, on the other hand, aware of the enterprising spirit of Boadicea, and sensible that an insatiable thirst of vengeance in the breast of an incensed woman, at the head of such a formidable army, would carry her beyond the bounds of discretion, and urge her to acts of imprudent impetuosity, posted his men in such a situation as might best enable them to sustain the fury of the first onset with unbroken ranks: and, for this purpose, he chose a spot of ground accessible only by a narrow lane, having a large wood in his rear; thus prudently securing a retreat, in case he should be overpowered by numbers, and freeing himself from all apprehensions of ambuscades, the Britons being obliged to draw up in an open plain, and to attack the van of the Roman army, in front, at the entrance of the defile. To this conduct of the Roman general the victory which followed may chiefly be ascribed; for the Britons, on the contrary, were so confident of gaining the day, that, neglecting to provide for a retreat, which indeed they seem to have thought unnecessary, they blocked up the rear of their army with a number of carriages brought thither to carry off the booty after the engagement, and, till then, to contain their wives and families, whom they had induced to become spectators of the horrid vengeance they meditated.

Before the engagement began, Boadicea drove through the ranks of her army in an open chariot, accompanied by her two daughters; and, addressing herself to the heads of every tribe, harangued them with the most powerful female elocution, representing the insults she and her daughters had sustained in the most moving and pathetic terms; at the same time assuring them, that the desire of revenging her own injuries was the least motive that induced her to attack the Romans, but that the universal slavery that was preparing for her brave subjects, who were threatened with a total deprivation of their liberty, and with being subjected to all manner of insults and oppressions, had called her to the field, where she was determined nobly to fall in the defence of the liberty of her country, if she failed of obtaining the victory.

Suetonius, who was an experienced general, did not fail on his part to harangue his troops on this

* The Iceni, the subjects of the late king Prasutagus, and their vassals, alone formed an army of an hundred and twenty thousand men; which, with reinforcements from the confederates,

particularly the Trinobantes, Brigantes, and the Caledonians, was augmented to two hundred and thirty thousand.

important occasion; and, in the most powerful terms, to animate his men to set at nought the superior numbers of an undisciplined force, headed by a weak, ambitious, tyrannical woman, he represented to them the glory they would acquire, being so few in number, by quelling such a dangerous and general insurrection, supported by so powerful an army: he recalled to their memory frequent instances wherein the good discipline and personal bravery of an handful of Romans, had proved successful against great superiority of numbers; and by such arguments as these, which never failed to stimulate the veterans, he raised such a spirit of emulation in his little army, that he soon found them eager for the attack, and therefore gave the signal for engaging.

The Britons made the first discharge with their darts, the fury of which the Romans sustained with great intrepidity, and without breaking their ranks; but as soon as the first onset was over, the fourteenth legion sallied from the defile, and being followed by the auxiliaries, engaged the Britons in the open plain, and soon penetrated their ranks, which threw them into great confusion; and, though they maintained a long and obstinate engagement, all hopes of victory were totally lost the moment their ranks were broke; for the preserving them entire was the only part of military discipline they had perfectly copied from the Romans. To add to this disaster, a fatal dispute arose between Boadicea and Venutius, general of the Trinobantes, who were the best Troops in the British army*, concerning the order of battle; Venutius positively refusing to pursue those measures the queen judged most expedient, and which appear to have been dictated by rage and disappointment, whereas those proposed by Venutius were consistent with the experience and coolness of a great general. The dispute at length grew so warm, that Venutius, finding his orders were disobeyed, owing to their being countermanded by the queen, suddenly drew off the Trinobantes, and, making a safe and quiet retreat, left the unfortunate Boadicea to support the heat of the day, who, thus deserted, soon yielded the victory to the Roman general. Her army being put to flight, suffered great slaughter in the pursuit, the carriages in the rear impeding the retreat; so that there fell on this fatal day no less than eighty thousand men; and when those who had escaped the pursuit were preparing, with undaunted courage, to hazard a second engagement, they had the mortification to find that all was irretrievably lost; for the unhappy queen, dreading the insults of the Romans to herself and daughters, if they should be taken prisoners, and well knowing that she could expect no mercy, put an end to her wretched life by poison; and, much about the same time, Pœnius Posthumus, touched with remorse at his cowardly behaviour in refusing to join Suetonius, and sensibly mortified at losing all pretensions to sharing the glory of the day, fell on his sword.

The unexpected death of Boadicea, joined to the prudent conduct of the Roman general, soon caused a total dispersion of the British forces; for

seeing themselves exposed to the fury of Suetonius, who by this time had assembled all his legions, in order to give a speedy and total overthrow to their insurrections, for being without a leader, each tribe thought only of its own safety, or how to avoid the pursuits of the enemy's detached parties, who desolated the country, and put all to the sword without distinction; thus repaying the outrageous cruelty of a furious woman, who, in the pursuit of a just reparation for the greatest insults, when her revenge was indulged, knew not how to set bounds to her fury, but was guilty of greater acts of inhumanity, cruelty, and oppression, than those for which she sought redress; and at last fell a sacrifice to her own vain-glorious and presumptuous confidence.

The Britons were now reduced to the utmost distress; for the Romans carried off all their cattle; and being almost totally ignorant of the art of agriculture, and having, from the ill-grounded confidence of Boadicea, entirely neglected it during the war, imagining that the possession of the Roman magazines would amply supply all their wants, they now became exposed to a severe famine, which contributed more than the arms of the Romans to extinguish all hopes of assembling a new army: but even in this distressed situation they refused to lay down their arms, wandering up and down the country in small parties, and refusing to sue for peace. This obstinacy being partly owing to their apprehensions of suffering the most cruel treatment from Suetonius, who, since the insurrection, had exercised great cruelties towards them; the procurator Julius Classicianus, who had been sent over on the desertion of Catus, whose oppressive measures first gave rise to the insurrection, wrote to Rome for a new governor, as the only method to put an end to the war. Upon this, the emperor immediately sent over Polyclethus, to enquire into the state of affairs; and on his arrival he found that a dispute between Suetonius and the procurator had occasioned the application to Rome for a new governor, and that there was little or no just complaint against the legate. But as he had rendered himself particularly odious to the Britons, by the destruction of the Druids, he thought it most adviseable to have him recalled; and, therefore, though he represented matters to the emperor on his return in the most favourable light for Suetonius, yet it was determined to remove him, and Petronius Turpilianus, whose consulship was to expire with the year, was sent to Britain, where he arrived in the beginning of the year 62; and, by the mildness of his administration, and his personal affability, soon affected what the legions of Suetonius could not accomplish, though they were kept constantly in the field; for, instead of harrassing them by military executions, and reviving their resentment by fresh injuries, he suffered them to enjoy unmolested repose, till at length their rage abated; and those provinces, which had been subject to the Roman government before the grand insurrection, returned quietly to their former state of slavery, giving up all hopes of recovering their liberty.

* This Venutius, who is scarcely mentioned by our modern historians, was a very able commander, and, being a man of great influence, had contributed more to the augmentation of the confederacy than any other general, having brought over

several of the tribes, besides the Trinobantes, of which he was chief; and it is most probable that he was little inferior to, if he did not even share the command of the whole army with, Boadicea.

The amiable conduct of Turpilianus met with universal applause at Rome, to which place he returned in 65, leaving Britain in a tranquil state, having settled all disputes with the Icenæ, and other revolted provinces, and renewed a friendly league with those that remained unsubjected to the Roman power. On his arrival at Rome, triumphal honours were decreed him; and it was found by experience, that moderation and lenity had a better effect on the Britons than persecution and tyranny. Tribellius Maximus, a man nearly equal in temper and disposition to Turpilianus, was appointed to succeed him, and the same happy consequences were derived from his prudent administration; but unhappily he was too strongly inclined to avarice and indolence, which engaged him in a fatal dispute with Roscius Cælius, who, with several other Roman officers, loudly complained of the conduct of the prætor; accusing him of suffering the army to remain in a state of total inactivity, while he attended only to the properest means of amassing riches; and declaring, that the glory of the Roman name was sunk into the greatest contempt in Britain, from the indolence of the troops, and their not attempting any new conquests on the island. The discontent at length became general, the whole army revolted, and offered the command to Cælius; upon which defection Tribellius, thinking his life in danger, fled to Vitellius, who was at the head of the Roman army in Germany.

This event happened in the year 67, and the following year Nero, who was become the scourge of mankind, and had been guilty of the most impious and cruel murders in his own family and in the state, fell a sacrifice to the just vengeance of offended Heaven, putting an end to his detested life with his own hands: he was succeeded in the empire by Galba, during whose short reign, and that of his successor Otho, nothing passed in Britain worthy of record. Vitellius, having ascended the imperial throne after Otho, sent Vectius Bolanus to Britain to take command of the army, which had been under the conduct of Tribunes only, amongst whom Cælius was acknowledged chief from the time that Tribellius absconded. The new governor, being unskilled in the art of war, suffered the Britons to enjoy further repose: he applied himself to cultivating a good understanding with his army, whose affections he entirely gained, and enjoyed the felicity of a quiet administration, till Vespasian, on the demise of Vitellius, succeeded to the empire, who immediately recalled him, and sent over Petilius Cerealis, who being an active man, and fond of military glory, extended the Roman conquests by subduing the Brigantes, inhabiting the province of Yorkshire. Julius Frontinus succeeded him; and, having the same warlike disposition, he attacked and defeated the Silures, who inhabited the counties of Hereford and Monmouth.

About the year 78, and towards the close of Vespasian's reign, the famous Julius Agricola was appointed to the government of Britain in the room of Frontinus; and all our historians stand indebted for an account of his remarkable admini-

stration to that excellent writer Tacitus, whose life of Agricola is justly esteemed a work of great veracity and elegance: from him, therefore, we shall select the amplest accounts of the British wars during this period.

Agricola was no stranger among the Britains; he had served against them under Suetonius and Cerealis with great reputation, which he now determined to augment; and therefore took the field, soon after his arrival, on the following occasion: The Ordovices, who dwelt in the mountainous part of Denbighshire and Flintshire, just before he landed had surprised and cut to pieces a body of the Roman horse stationed on their frontiers. This sudden commencement of hostilities had greatly alarmed the Romans, and made them expect the arrival of a new governor with the utmost impatience. Affairs being in this situation, Agricola, though the summer was far advanced and the cohorts lay dispersed in different parts of the country, not imagining they should be called on duty so late in the year, bravely resolved to meet the danger; and assembling the legions and the auxiliaries with all possible speed, he marched against the Ordovices, pursued them to their strong holds, and finding they would not venture to descend into the plain and come to a fair engagement, he, to encourage his army, led the van, and was the first that ascended the mountains; and, by this bold and hazardous enterprize, he so surprised the enemy, who imagined these hills were inaccessible, that they made but a faint resistance. Agricola, having put great numbers to the sword, laid waste their country, and advanced to the Isle of Anglesey, to complete the conquest which Paulinus had partly finished when he was called off by the general insurrection of the Britons; and, finding himself at a loss for ships, his policy found out an immediate and successful remedy; for, having in his army some cohorts of auxiliaries who were used to swimming over large rivers completely armed, he commanded them to lead the way; and they pointing out the shoal water, the rest of the army, finding the passage was fordable, readily followed. The inhabitants, seeing themselves so suddenly invaded, took to flight, soon after sued for peace, and surrendered the whole island, in the month of October, A. D. 79*.

Thus Agricola, at the end of summer, and at a season when it is customary to close the campaign, put an end to the revolt of the Ordovices, and subdued Anglesey, the principal retreat of all the British malecontents; and, returning full of glory from this famous expedition, to add to his reputation, he applied himself to the milder arts of peace; and, during the winter, he made himself master of the tempers and dispositions of the people he was to govern. He began his civil administration by acts of clemency, justice, and impartiality; and was particularly careful to reform the discipline of his army, and to restrain the licentiousness of his troops, that no fresh cause of dispute might arise from their insolence and oppression, as had been the case under his predecessors. Neither did he advance base-born men to places of trust or confidence, or

* The place where they passed the channel which divides Anglesey from Carnarvonshire, is imagined to be from Llanvair Point in that county, to the south-west of Llanidan church in Anglesey, where the water at lowest ebb is not more than

two fathoms in the deepest part; and when the sands lodge on the edges of the rocks, which frequently happens, it is fordable without much difficulty.

give ear to partial recommendations; but resolutely, without shewing any favour or affection, elected the most worthy to the great offices of state. He narrowly examined into the infant state of the police, and particularly gained the affections of the Britons, by causing the supplies of corn to be levied with equality, and by taking away the exactions and exorbitant fees of the collectors of the tribute, whose demands were often heavier than the tribute itself. The redressing these grievances in his first year, gave the people a high opinion of their new governor, and contributed much more than the force of arms to make the Britons in love with peace, which in former times they had found to be as oppressive as war.

Having thus, by the most prudent precautions, paved the way to further success, in the beginning of the spring he made frequent incursions into those provinces that still remained unsubdued, and by harassing and alarming them at intervals, and then inviting them to submit by every possible allurements, he, by degrees, engaged several capital cities to receive Roman garrisons, and to send him hostages; and in this manner, partly by persuasion, and partly by the fame of his military achievements, he subdued the whole island at the end of this summer's campaign. Winter setting in, he once more applied himself to domestic regulations, and took every necessary step to secure the obedience of his subjects, and to familiarize them to the Roman manners and customs. To this end he first erected temples, courts of judicature, and other public buildings; then encouraged the building of private houses, raising a general emulation to this laudable undertaking by rewarding the active and diligent, and by discountenancing and punishing the slothful and indolent. He also caused them to educate the sons of their chiefs in the liberal arts, and took care to prefer the rising genius of the Britons to the established abilities of the Romans, which made them impatient to acquire elocution and politeness; and thus, in a short time, the Roman language, and then the Roman habit, became in fashion with the Britons. In the third year of Agricola's administration, they began to cherish all the Roman voluptuousness, frequenting their baths and banquets: and thus they buried, in the grave of luxury, all remembrance of their former liberty and independency, as well as of their native simplicity and integrity.

This year, A. D. 81. the emperor Vespasian died, and Titus succeeding, confirmed Agricola in his government of Britain, who, being thus secured in his office under a new master, once more turned his thoughts to military operations, and opened the campaign by a new expedition to the north, wastring all before him till he came to the frith of the river Tay, in Scotland, which has Fife to the south, and Angus to the north. The terror of his name struck such an universal panic, that though his army was quite harassed out by forced marches and tempestuous weather, they durst not attack him, but permitted him to build fortresses and castles for the security of his conquests; and so great was the skill of his engineers, or so unprac-

tised in the military art were his opponents, that it is said no fort or castle erected by him was either forced, surrendered, or quitted as untenable. By occasional sallies from these forts, his garrisons, which were well supplied, and often reinforced, kept the enemy in continual alarms, and rendered their condition truly deplorable.

The fourth year of his government he spent in reviewing his conquests, and providing for their security against any sudden assault from the enemy; having, for this purpose, a chain of forts which fixed the boundaries of his new acquisitions between the Tweed and the two friths of Glota and Bodotria, now called the friths of Dunbritton and Edinburgh: but the insatiable thirst of glory, which ever animated the breasts of the Roman heroes, was not to be confined within any limits, nor would suffer one spot of ground, if possible, to remain unconquered. It is no wonder, therefore, that his fifth campaign, A. D. 83, and the first of the reign of Domitian, should be opened by further inroads into Scotland, where he subdued some small tribes of so little note, that their very name and situation was unknown to the Romans till they had subdued them; yet these have been dignified with the title of nations by some modern historians. Having left suitable garrisons in this country, situated opposite the coasts of Ireland, he meditated an attempt on that island, by the advice of a banished prince, to whom he had given protection, and who furnished him in return with all necessary intelligence concerning the state of the country: but this design was not carried into execution; for, in his sixth campaign, fearing a general insurrection of the Caledonians, now called the Scotch, or North-Britons*, who assembled on the shore of the frith of Bodotria, opposite the Roman forts, he sent out a fleet of galleys to coast along the shore, and to make discoveries of the creeks and friths in those parts; and at the same time that the appearance of this fleet filled the enemy with terror, it served to animate his own troops, who were pleased with the frequent communications they had with their fleet in a country they had but little knowledge of. The Scotch, imagining that all would be lost by the discovery of their seas, if they should once be worsted by the Romans, attacked their forts in despair; and some of Agricola's officers, having received exaggerated accounts of the enemy's number, through fear advised the general to retreat to England, and be content with his conquests on this side the friths; but, rejecting their advice, he only divided his army into three bodies, that he might not be surrounded by the superior number of the Scotch, and then lay in his camp to receive them. The Scotch, having intelligence of this disposition of the Roman army, fell suddenly upon the advanced guard of the ninth legion, and having put them to the sword, broke into the camp, and fought with great bravery within the trenches. When Agricola received intelligence of this action, he marched up to them with his own division, which consisted of the flower of the army, and commanded them to fall on the rear; while the assailed Romans, re-animated by this timely reinforcement, instead of giving way, as

* We shall make it a rule in this history to give the antient names of nations and cities, immediately subjoining the modern appellation, and afterwards adhering to the latter, as more familiar to the ear of the reader.

they had done before the arrival of their general, sallied out on the enemy's front. Thus the fortune of the day was totally changed, and victory, which for many hours had favoured the Scotch, now declared for the Romans; and if the Scotch had not found a secure retreat in the neighbouring woods and bogs, it is more than probable they would have been totally subdued.

This defeat, however great it was, served only to rouse the spirit of liberty, and to determine the whole Scotch nation to enter into a general association against the invaders of their country, and to bind themselves by the most solemn adjurations, attended with religious ceremonies, to support each other to the last extremity in defence of the common cause; and, having once entered into this confederacy, they sent their wives and children to remote towns, and, without loss of time, assembled a more powerful army than the first. Agricola, not thinking it prudent to hazard a second general engagement, affairs remained in this situation till the next campaign, A. D. 85.

In the mean time a cohort of German auxiliaries deserted from the Roman camp, having first slain a Roman officer and some soldiers that were appointed to discipline them; and seizing on three small galleys, they killed one of the pilots, and compelled the others to steer for Germany; but having forgot, in the hurry of their elopement, to supply themselves with provisions, they were soon reduced to great distress, and were obliged to kill some of their comrades for support. In this terrible situation it is thought they lost their pilots; for the survivors, being totally ignorant of navigation, after sailing round Britain, were at length driven ashore on the coasts of Friesland, where they were bought and sold again, till at last, in the course of traffick, they fell into the hands of their old masters, being brought to the Roman camp, where they confirmed an opinion, not yet well established, that Britain was an island, and in consideration of their adventures were pardoned.

As soon as the spring opened, Agricola renewed his military operations by sending his fleet before him, with orders to land sometimes in different places occasionally, and so to spread an alarm along the coasts of Scotland, and to distract and terrify them by the uncertainty of knowing where the principal attack was intended; while he himself, with the choicest of his troops, advanced by hasty marches to the Grampian mountains, where the Scotch army was assembled, consisting of thirty thousand effective men, besides a great number of hearty old men, who had joined them as volunteers. This formidable body was headed by Galgacus, a person of the first rank, and no less distinguished for his personal bravery, military experience, and pathetic eloquence. On seeing the Romans advance, he, according to the custom of the times, harangued his troops, and chiefly represented to them, that the issue of the ensuing battle would be the recovery of their freedom, or perpetual slavery; for, that being on the skirts of the island, there was no security in retreat, if vanquished, and consequently no hope remaining, but that of obtaining a complete victory.

Agricola, on the other hand, seeing his men eager for action, only reminds them, in order to encrease their ardour, that, in case of a defeat, the Roman power would be so shaken in Britain, they

would be under a necessity of soliciting relief from those who had been subject to their victorious arms for near half a century. His next caution was to draw up his army in such a manner, that the auxiliaries should sustain the first onset, thereby to prevent, as much as possible, the effusion of Roman blood: the legions he placed in the rear, to support the auxiliaries, in case they were overpowered, or to complete the victory, if they gained the advantage. Galgacus very artfully extended his line of battle along the sides of the mountains, that his whole army being exposed to view, might terrify the Romans by the superiority of its numbers. The battle that ensued was fierce and obstinate, and for some time greatly in favour of Galgacus; which being perceived by Agricola, he quitted his horse and fought on foot at the head of the legions, who, with two cohorts of Batavians, and the same number of Tungrians, closed in upon the enemy, and engaged them sword in hand; by which means their javelins, with which they were very expert, became useless, and as their swords were unwieldy and totally unfit for close fighting, they soon gave ground. The Romans, without giving the enemy time to rally, having once broke through their foremost battalions, intrepidly ascended the hills; and the Scotch cavalry retreating at the same time, they endeavoured to terrify the Romans by driving their chariots furiously into their ranks: but this had little effect on account of the unevenness of the ground; while Agricola, finding that a body of infantry, who were posted at the top of the hill as a corps de reserve, and had not yet engaged, were forming a design to surround him, detached four squadrons of horse, who not only prevented this attempt, but entirely routed them; and then, falling upon those that remained in the plain, a terrible slaughter ensued, and compleated the victory; for Galgacus, finding it impossible to rally his scattered forces, made the best retreat he could by favour of the night. The Scotch lost ten thousand men in this fatal engagement; the Romans only three hundred and forty, and but one officer of note. The scene of desolation which ensued is most movingly set forth, even by Roman authors; the poor dispersed islanders, in the bitterness of despair, setting fire to their huts, and massacring their wives and children, that they might not be carried into captivity, which they dreaded more than death. So strong was the innate love of liberty in the breasts of a people, whose manners were uncivilized, and who, in other respects, were little better than savages.

This victory proved no less fatal to Agricola, than to the unhappy Scotch; for Domitian, grown jealous of the great reputation he had acquired, recalled him on pretence of promoting him to the government of Syria, but in reality to cut him off, which he soon after effected by poison, though, the better to conceal his horrid villainy, he solicited and obtained a decree of the senate to erect his statue crowned with laurel. Thus died this renowned and accomplished general, this adored governor of Britain, who has been so highly extolled by all writers, from Tacitus to the present time, while the names of Petronius Turpilianus, and of Tribellius Maximus, are held in contempt, and branded with cowardice; because they suffered a people, already most cruelly and unjustly oppressed, to live in peaceful subjection to their ambitious masters,

masters ; while the other, for spreading desolation and slaughter throughout an extensive country, for the honour of imperial Rome, is dignified with the title of Hero, and has statues erected to his memory : but let those who live in these days of real liberty and equal humanity, who read history for instruction, mark the event, and shun the common opinion of mankind with respect to such characters—the famous victor and oppressor expires under similar agonies to those he has inflicted on others, and falls a sacrifice to that ambition which led him on to conquest ; while the others, according to the course of nature, end their days in peace.

Lucullus succeeded Agricola in the government of Britain, A. D. 86, and was put to death on the island, by order of the same emperor, for giving the name of Lucullians to a new-invented spear that had been introduced into the army ; and from this time, to the arrival of the emperor Adrian in Britain, A. D. 121, including a period of thirty years, a profound silence is observed by the Roman historians concerning the affairs of this country, probably because no memorable battles, no new incursions, no extension of the Roman conquests, happened during this æra, and the unhappy Britons enjoyed a few years lenity and tranquillity.

Adrian's visit to Britain proceeded from intelligence he had received, that the North-Britons were in arms, who, on his arrival, quitted the Roman territories they had invaded on the south side of the friths, and retreated to their own country. The emperor, notwithstanding, determines to pursue them, and advances as far as York, where he was received by some old officers, who had served under Agricola, and who gave him such a dreadful account of Scotland, setting forth all the horrors of marching and fighting in the midst of bogs and mountains, that he immediately quitted all further thoughts of this expedition, and prudently resolved to enlarge the Scotch boundaries, and to endeavour to pacify them by tokens of his favour, rather than by force of arms. For this purpose he erected a wall, or rampart of earth, extending from the mouth of the Tyne to Solway Frith, including the space of eighty miles from east to west. Having covered it with turf, and placed a proper guard along the whole line, he judged this a sufficient protection and security to his people against the sudden incursions of the Scotch. Soon after he returned to Rome, and was flattered by his courtiers with the title of Restorer of Britain ; which was added on his coin to his other titles.

Some acts of cruelty committed by the inhabitants of the North in their last incursion, had given birth to an implacable enmity betwixt them and the South Britons ; and finding, after Adrian's departure, that his rampart was not sufficient to restrain their fury, but that they frequently renewed their hostile irruptions, the South Britons submitted to learn the Roman discipline under Priscus Lucinius, the proprætor, and conformed

to the laws and usages of the Romans, as well civil as military.

The emperor Adrian died on the 10th of July, A. D. 138, and was succeeded by Antoninus Pius, who, like his predecessor, was more solicitous to preserve than to enlarge his dominions ; and finding that the North Britons had began their usual inroads, by breaking down the rampart in several places, he ordered Lollius Urbicus to go over and put a stop to their proceedings, and also to quell the insurrection of the Brigantes, who had formed the design of shaking off the Roman yoke. Having reduced these to their former obedience, he marched to the North, and there erected another wall stronger than the former, being of stone instead of earth, covered with turf, and extending from the frith of Forth to the frith of Clyde ; so that the consequence of these new irruptions was, that the Scotch were now confined within narrower limits than those assigned them by Adrian. Some faint remains of this wall are still to be seen *. The tranquil state of Britain being once more established, Antoninus had the title of Britannicus conferred on him for the wise regulations of his general, though he had never seen the island himself.

From this time, A. D. 140, to the death of Marcus Aurelius, who succeeded Antoninus Pius, and died himself in March 180, the island was free from any material commotions, and nothing memorable was transacted during this period ; but when the cruel Commodus succeeded his virtuous father Aurelius, new insurrections and tumults took place ; for the inhabitants of the North finding, by common report, that the emperor was not only given up to every kind of voluptuousness, but was likewise of a cowardly, indolent temper, thought this a proper opportunity for some bold enterprize ; and accordingly they made a breach in Antoninus's wall near one of the principal forts. Having entered it, they cut the Roman garrison in pieces, though commanded by an experienced general ; and, by this means forcing a passage for their whole army, the contiguous stations were abandoned by the Romans ; and the North Britons, marching directly southward, made such dreadful havock, that Britain, in all probability, would have been lost to Rome in a short time, if the emperor had not sent over Ulpius Marcellus, a general of great reputation, with all expedition. This active commander soon put an end to the war by his great military skill ; and, having severely chastised the revolted, he revived the discipline of the Roman army, which being sunk into a state of licentiousness and indolence, joined to the bad character of the emperor, had laid the foundation of the bold attempt of the people of the North : but the prudent conduct of this general soon restored it to its antient strictness, and these good services had well nigh cost Marcellus his life ; for the emperor, envying his success, not only deprived him of his government, but was on the point of putting him to death.

After the departure of Marcellus, the army

* It has been called by some writers Severus's Wall, but with no propriety ; for Severus was recalled almost as soon as he had set foot on the island, in the first year of Adrian, who immediately came over in person. Most of our historians are crowded with large notes, and ample quotations, concern-

ing the disposition, thickness, appurtenances, &c. of this wall ; but, for such particulars as these, we refer the lovers of antiquity to Horsley's Brit. Rom. which work so frequently interrupts the narrations of our best writers of the English history.

mutinied, because Perennis, a favourite of the emperor, discarded the veteran officers, and gave their command to his own creatures; and they carried their resentment so far, that, having selected fifteen hundred of the legionary troops to present their complaints to the emperor, they sent them to Rome. Being met by the emperor without the city, they told him they were come to inform him of the dangerous design of Perennis, who was conspiring to dethrone him, and to make his own son emperor. This accusation Commodus was disposed to believe, and therefore instantly gave up Perennis to the soldiers, who put him to death on the spot. At the same time, it being judged expedient to send a person of some authority to Britain, to suppress the mutinous disposition of the army, Pertinax, who afterwards succeeded to the empire, was appointed to this office: he determining to act with rigour, and punish severely the ringleaders of the mutiny, tho' the ninth legion obstinately refused to submit. In the skirmish which ensued on this occasion, Pertinax was dangerously wounded, and escaped only by being left on the spot among the dead: yet, notwithstanding this bold sedition, he persisted till he had gained his point; and then, desiring to be recalled, Clodius Albinus was ordered to relieve him; who, incurring the displeasure of Commodus, was soon removed, and the government given to Julius Severus. Pertinax ascending the throne after the death of Commodus, who was strangled by Narcissus, A. D. 193, Albinus is once more made governor of Britain, in which post he was continued by Julian, the successor of Pertinax; and he so thoroughly won the affections of his army, that on Julian's death they proclaimed him emperor. Septimius Severus in Pannonia, and Pescennius Niger in Syria, having the same honour conferred on them by their respective armies, Severus, who lay nearest to Rome, hastened thither to receive the confirmation of his dignity from the senate, whose decree in his favour he readily obtained; notwithstanding which the other two persisted in their claims, and prepared to defend them to the last extremity. Severus made use of great policy on this occasion; for his rivals being at the two extremities of the empire, he imagined, that while he marched against one, the other would make a considerable progress, and gain great advantage. He therefore sent an embassy to Albinus in Britain, offering to share with him the imperial dignity. His offer being accepted, he collected his whole force, and marched against Pescennius Niger, whom he vanquished and slew; after which he immediately formed designs on the life of Albinus. His first attempt was to assassinate him by villains, whom he sent to Britain on that base errand; but failing in this, he came to an open rupture, and, without any just pretence, declared Albinus an enemy to the state, and marched against him with a formidable army, which had been greatly increased by the troops of Niger, who came over to him on the death of their general. Albinus, being at this time in Gaul, determined to wait for him, and decide their dispute by an engagement, in which he was defeated, and slain on the spot. This battle is said to have been fought near Lyons in France, A. D. 196.

The victorious emperor, soon after this event,

divided Britain into two governments, the Northern and the Southern; the latter was given to Heraclitus, and the former to Virius Lupus, who, finding himself continually harassed by the incursions of the Caledonians, at last bribed them into peaceable behaviour by a large sum of money. Thus all commotions subsided till the fifteenth year of Severus, when the Scotch, observing that the Roman army was grown effeminate through long inactivity and repeated debaucheries, broke the treaty they had made with Lupus; who, finding there was no end of bribing a people, who on the first opportunity took up their arms again, wrote to the emperor to inform him that it was absolutely necessary he should come over in person, or send such a formidable reinforcement to the northern provinces as might be sufficient to put an end to the repeated insurrections of these people, by the entire conquest of their country. Severus received this news with pleasure, being fond of military glory. Aged as he was, and afflicted with the gout, he immediately set off, travelling in a litter, bringing with him his two sons, Caracalla and Geta. The Scotch, on the first news of his arrival, send ambassadors to sue for peace, and to execute their former delinquency: but Severus, being determined to prosecute the war, detained the ambassadors on various pretences till he had made the necessary preparations for his expedition, and then dismissed them with an equivocal answer. Leaving his youngest son at London, he marches northwards, accompanied by Caracalla his eldest son. His first care on his arrival was to lay platforms of wood over the bogs and morasses, that his soldiers might have sure footing. In this hard duty they were greatly interrupted by the enemy, having frequent skirmishes with them; but, proving always victorious, he at last marched his army beyond the rivers, ramparts, and forts, which formed the boundaries of the Roman territories, and then passing the friths, he penetrated into Scotland, and forced these hardy people to submit to his mercy. Finding, however, that it would be impossible to keep them in continual subjection, without a considerable standing army, which could hardly find subsistence on such a barren spot amidst hills and uncultivated bogs and morasses, having in this expedition lost fifty thousand men, he determined to abandon the country, and content himself with forming a stronger barrier between them and his own people, than any that had been erected by his predecessors. Accordingly he built a new wall of stone, twelve feet high, and eight feet in thickness, as most authors agree; tho' some have confounded this wall with the rampart built by Lollius Urbicus. The most perfect and indubitable monument of antiquity is exhibited in the remains of this wall, which is now distinguished by the name of the Picts wall, because it separated them from the English. Having thus secured his frontiers, he retired to York, and left the command of his army to Caracalla; assuming, at the same time, the title of Britannicus Maximus. The emperor had no sooner quitted the army than Caracalla, whose disposition was naturally cruel, suffered the soldiers to make excursions beyond the wall, and to commit all sorts of outrages on the distressed Scots. This enraged them afresh, and obliged them to take up arms in their own defence. Severus being informed of this revolt, but not

not of the true cause of it, was so provoked, that he rashly issued an order to fall upon them, and put all to the sword without distinction of age or sex: but he lived not to see his cruel orders executed; for he died soon after at York, and bequeathed his empire to his two sons. Caracalla, the eldest, was ambitious of reigning alone, and to that end used every artifice to engage the army to acknowledge him sole emperor; but finding them too strongly attached to his brother Geta, he dissembled for the present; and having, in concurrence with his brother, made peace with the North Britons, they received hostages, and returned together to Rome, taking with them the ashes of their father. At Rome, Caracalla found means to have his brother privately assassinated; and thus became sole possessor of the empire, A. D. 211. From which time, to the reign of Dioclesian, we have little or no account of the state of Britain; all that can be ascertained with any certainty is, that some of the thirty tyrants, who usurped the Roman empire during this period, had possession also of this island, the coins of several of them being found here in great abundance. Dioclesian, being saluted emperor by the eastern army, A. D. 284, gave the command of the Roman fleet, which was stationed at Boulogne in France, to Carausius, with orders to scour the coasts of France and Britain, and clear them of the piratical Franks and Saxons who continually infested them. Carausius, being a man of base extraction, but of an enterprising genius, soon cleared the coasts of these pirates, but retained the plunder he had taken from some, and the bribes he had received from others, to permit them to escape. Having by this means amassed great riches, he forgot his deputation, and refused to give any account of this treasure to the emperor's officers; upon which Maximilianus Herculus, who was at that time in France, and had lately been called to share the empire with Dioclesian, ordered that he should be seized and put to death; of which having received timely notice, instead of submitting to the authority of Maximilianus, he bribed the Roman army, got himself proclaimed emperor, landed on the coast of Britain, and took possession of it. Maximilianus immediately endeavoured to subdue him by force of arms, but without effect; for his party was too strong, and he was powerfully supported by the North-Britons; and therefore he was obliged to make peace with him, and permit him to enjoy the island in repose. In the year 291, the emperors Dioclesian and Maximilianus elected two assistants in the administration, by the name of Cæsars, which title was afterwards annexed to that of emperor: and Maximilianus, being determined to avenge himself on Carausius, sends Constantius, one of the new-made Cæsars, to Britain, giving him an army which he thought sufficient to reduce Carausius; but while he is making himself master of Boulogne, that he might have possession of a port from which he could easily transport himself to Britain, he receives intelligence that Carausius is slain by his bosom friend and companion Alectus, whom he had entrusted with the management of his affairs of state

during his short reign, which lasted only seven years. The motive to this base assassination soon appeared to be no other than ambition; for he immediately assumed the purple, and prepared to prosecute the war against Constantius, who thereupon raises the siege of Boulogne, and lands in Britain, intending to expel the usurper before he has time to fortify himself, that his soldiers might have no hopes of retreat. He burnt his ships as soon as he had made good his landing, and coming up with the army of Alectus, he began the attack, and soon obtained a complete victory. Alectus being slain in the heat of the action by Asclepiodotus, the prætorian præfect, or captain of the emperor's guards*, the mercenary Franks, who composed the greatest part of Alectus's army, fled to London, which they plundered, and then put to sea, but were intercepted by a part of the Roman fleet, which had been separated from the rest by a fog, and who eased them of their booty, and put the greatest part of them to the sword. While these events happened in Britain, the two emperors, Dioclesian and Maximilianus resigned the empire on the same day, in favour of Galerius and Constantius: the government of Britain fell to the share of the latter, who was at this time on the island, and had shewed such clemency to the Britons, that they stiled him their deliverer. Under his government commerce was extended, the free exercise of the christian religion was permitted, the coasts were secured from the attempts of pirates; and therefore it is no wonder that he died universally regretted. A short time before his death, which happened at York, A. D. 307, his son Constantine arrived from Rome, and was received with great joy by his father and the whole army. Violent controversies have been maintained by different writers, concerning this Constantine, who afterwards became so famous in the world, some asserting that he was the legitimate, and others that he was only the natural, son of Constantius by Helena; but leaving this matter undecided, as it is to this day, let it suffice, that Constantius, in his life-time, named him his successor; and he was afterwards acknowledged emperor by the army and by the Britons, and was the inheritor of all his father's virtues.

Constantine the Great, for by this title he was distinguished on account of his great humanity, love of justice, exemplary piety and moderation, began his reign by a new kind of government, dividing the whole empire into four præfectures, or military governments, subject to four præfects of the prætorian band, or captains of his life-guard; each præfecture had fourteen provinces or counties, and they were called the præfectures of Italy, Gaul, now France, Illyria, and the East. Britain was subject to the præfect of France, who governed it by a vicarius, or deputy, whose name was Pacatianus. Constantine also divided Britain into three parts, naming all the country south of the Thames, Britannia prima; the country west of the Severn to the Irish sea, he called Britannia secunda; and all the rest eastward of the Severn, and lying north of the Thames was distinguished by the appellation of Maxima Cæsariensis, probably because some of

* Here Rapin is guilty of a great error; for he says that this Asclepiodotus slew Alectus in the same manner as Alectus had taken off Carausius; and that, like him, he usurped

the imperial dignity, and contended for the possession of Britain.

the emperors had resided at York. These three divisions contained twenty eight capital cities, which afterwards became so many bishops sees; and the whole island at this time was subject to the military government of the præfect of France, whose deputies or officers of various denominations, such as receivers general of the emperor's tribute, a register, procurator, &c. were guilty of repeated extortions, and sought these employments only with a view of enriching themselves at the expence of the country, which was likewise drained of men to carry on the emperor's war against Magnentius, who seized on the greatest part of the empire; so that tho' the Britons were not at war with the Romans during the reign of Constantine, yet they were far from enjoying that repose which they had reason to expect from the great character of this emperor. He died A. D. 315, and left the empire by will to his three sons, assigning France, Spain, and Britain, to his eldest son Constantine; but he was taken off by his brother Constans, after a short reign of three years, who afterwards usurped these dominions; but was soon dispossessed of them by Magnentius, who caused him to be assassinated at Helena, near the Pyrænean mountains. Constantius, the third son, who reigned in the east, hearing of the untimely fate of his brothers, which gave him sole possession of the empire, directed his march to encounter Magnentius; and at length gave him such a total overthrow, that, in despair, he put an end to his life, A. D. 340.

After the death of Magnentius, Britain submitted to Constantius, who sent Martinus into the island as vicar of the præfect. He being greatly disturbed at the cruelty of Paulus Catena, whom the emperor had sent over in the time of Manentius, to observe what officers and soldiers revolted to him, and to prevent a general defection, openly took the people's part, and strongly persuaded Paulus to behave with great lenity, threatening him, in case of a refusal, to quit the island, and carry his complaints to Rome; who, fearing the consequence of this menace, artfully accused the vicar of a conspiracy against the emperor, which enraged him to such a degree, that he attempted to kill Paulus; and finding he had missed his aim, plunged his sword into his own breast, and expired. Soon after this event, Julian, known by the appellation of the apostate, from his falling off from the Christian faith, was declared Cæsar, by Constantius; and the government of France and Britain being allotted to him, he sent over Lupicinus to repel the insolence of the Picts and Scots, who were now grown quite outrageous, making continual incursions into the northern counties of England, and carrying off great spoils. Lupicinus embarked a considerable army at Boulogne, and landed after a favourable passage on the Kentish shore; from whence he marched to London, but was recalled before he reached the north, the Picts and Scots having sent deputies to Julian, at Paris, to appease his anger, and procure their pardon. Constantius dying of a fever in October, 362, bequeathed the empire to Julian; and from this period to the reign of Valentinian the First, we find nothing recorded concerning the affairs of Britain. In his reign the island was in a lamentable condition; for the

Franks and Saxons invaded the sea-coasts opposite France, while the Picts and Scots ravaged the inland counties; the detachment Valentinian had sent to succour the inhabitants of the sea-coasts having been defeated, and their generals slain: so that the emperor found it necessary to send over Theodosius, a man of the first repute, with a formidable army of choice men, selected from the legions and cohorts, to put a stop to the devastations of the invaders: to these were added some Batavians, Hollanders, and other mercenary forces. Theodosius landed near Sandwich in Kent, and marched immediately to London, where he divided his army into several large bodies, and sent them out different ways, to intercept the enemies who were returning to their ships laden with spoils. The success was answerable to the design; the invaders were surprized in different parties, without being able to collect their forces, and totally routed, leaving behind them their plunder and their prisoners, the better to facilitate their escape. Theodosius generously restored the recovered effects to the distressed owners, reserving only a small portion to content his harassed troops; and, having ended his expedition in this part of the island, he made a triumphal entry into London, A. D. 366. publishing a general amnesty in favour of such as had deserted the Roman service, which brought over great numbers in the north; but still the commotions were so considerable on the frontiers of Scotland, that he judged it proper to have powerful assistants; and therefore sent for Civilis and Dulcitius, who were both men of great abilities and of experienced valour; the first he made vicar, the second duke of Britain, and guardian of the sea-coasts. By this arrangement the northern opponents were soon reduced to obedience; and, to prevent their incursions for the future, they were once more confined within straighter limits, the Roman territories being enlarged and secured by strong fortresses, well garrisoned*. Having thus restored tranquility to Britain, Theodosius applied himself to the internal policy of the state, reforming sundry abuses, repairing and embellishing the cities that had suffered pillage, or were in a ruinous condition; and, when he had settled every thing in such a manner as to give entire satisfaction to the inhabitants, he returned to Rome, leaving behind him the joyful shouts and acclamations of applause of the Britons, to receive the same tokens of approbation from the emperor, and the people of Rome, who received him with open arms. Valentinian, in token of his esteem, made him master of his horse.

Gratian, the eldest son of Valentinian, succeeded to the empire; and, finding the state of affairs greatly perplexed, he chose the son of the brave Theodosius to be his associate; which so exasperated Maximus, at that time governor of Britain, that, thinking himself superseded by this choice, he excited the soldiers to a revolt, and had the art of engaging them to proclaim him emperor, and to accompany him across the seas, to take possession of the empire. In this expedition he likewise engaged so considerable a body of the natives of Britain, that by this means the island was left in a defenceless state, and open to the inroads of the Picts and Scots, who never failed to take advantage of such

* The country taken in by this enlargement was called Valentia, in honour of the emperor.

favourable events; and accordingly, at this time, entered and laid waste all the Roman territories in the north; while Maximus, having defeated Gratian, prepares to encounter Theodosius, his colleague, who in turn defeats Maximus and puts him to death. In this miserable contest, for the empire, the flower of the British youth fell in battle, and the remainder retreated to Bretagne in France. Theodosius, when this dangerous rebellion was suppressed, made Chrysanthus vicar in the British isles, which post he filled with great reputation, and totally subdued the northern enemies. Theodosius dying in 393, his two sons shared the empire; and the western department fell to Honorius, which was governed by Stilico, during his minority. The first concern of the regent was to send a man of an enterprising spirit into Britain, to be attentive to the behaviour of the Picts. Victorius, a man of an arbitrary tyrannic disposition, was elected vicar on this occasion, who carried his authority so far, by interposing in the election of a king to succeed Hengist, that the Picts plainly perceived he had a design upon their liberty. Encouraged by the example of the Celts and other nations, who were daily falling off from their obedience to the empire, which was now in its decline, they joined with the Scots; and, considering that the Roman territories in Britain were left defenceless, the legions having been recalled to act

on the continent, they determined first to invade their possessions in Britain, and then totally to expel them from the island. In this design, however, the inhabitants of the south by no means concurred; for they chose rather to continue in subjection to the Romans, and even to implore their aid against the Picts, than to join with them in the noblest of all military exploits, the recovery of native liberty. So that the Picts then considered them as enemies, and treated them as such, laying waste their flourishing provinces, and reducing them to such a lamentable condition, that two legions were successively sent to their relief, first by Honorius, A. D. 420, and again by the præfect of Gaul, A. D. 421, which was the last assistance the Romans afforded them; for when this legion quitted the island, after having chased the united forces of the Picts and Scots, beyond the friths of Forth and Clyde, and assisted the Britons in building a new wall, Gallio, the commander, recommended them to the protection of the gods, earnestly besought them to stand up like men, in defence of their country, of their families, and fortunes; but to expect no further assistance from the troops of the empire, whose service was required in defence of the empire itself, which was now over-run by the northern powers of Europe. Thus ended the Roman power, and with it the military government of Rome in Britain, A. D. 447.

A concise Chronological and Historical Account of the Religion, Laws, Arts, Manners, and Customs, which prevailed in BRITAIN, during the Usurpation of the ROMANS.

THE Romans were in possession of that part of Britain which we at this day call England, for the space of four hundred and ninety years; and during that period the Christian religion made a considerable progress in the island, which was wholly pagan when invaded by the Romans. We have already given an account of the principal tenets held by the Druids, which are partly Egyptian, and partly Jewish or deistical; probably proceeding from their commercial intercourse with these people, whose religious ceremonies might by degrees be interwoven with their own, through policy or caprice. Much learning has been bestowed, and a great deal of time lost, in ascertaining the first planting of Christianity in Britain, and the exact period of this important event remains still undetermined; the best accounts being grounded on fabulous traditions, and supported by monkish legends: it is sufficient for us to know, that the glad tidings of the gospel were early made known to our unhappy ancestors, while groaning beneath the yoke of foreign tyranny, and, at the most suitable period, for administering its celestial comforts to a people who had been inhumanly deprived of temporal felicity, through the unbounded ambition of a rapacious empire. From a passage in Clemens Romanus, in which mention is made that St. Paul preached the gospel as far as the boundaries of the western empire, it has been maintained, that the apostle personally visited this island: but this opinion merits not the least credit; for the Romans ever considered Bri-

tain as a colony, which, it is true, fell under the government of the western division when the empire was divided; tho', being an island separated from the continent, was never considered as part of the empire itself; and therefore was subject to the præfect of France, which kingdom was the utmost boundary of the western empire.

Rejecting, therefore, the honour of St. Paul's ministry, with the fable of Joseph of Arimathea, which has employed the pens of divines as well as historians, we shall next examine the history of the conversion of Pomponia Græcina, a British lady of distinction, and wife of Plautius, who was sent to Britain, in the character of legate, by the emperor Claudius, A. D. 48. The words of Tacitus are, That this lady was accused by the Britons of embracing a foreign superstition; from which authority Dr. Smollett, and others, have honoured this lady with the title of the first British convert to Christianity; not considering, that, at this æra, a defection from the druidical maxims, in a lady of Pomponia's quality, in favour of the pagan rites of Rome, was sufficient to establish the charge of her embracing a foreign superstition: besides, Christianity, at this early period, was taught as it is written in the gospel, totally free of all that superstition which has since been introduced to serve the purposes of bad men; and therefore it is highly probable, that she was converted by her husband, not to Christianity, but to the idolatry of antient Rome, which might be justly stiled a foreign superstition. Some time after this event,

we find Boadicea, A. D. 61, addressing herself to Andarte, the British goddess of war, before she engages the Romans; and letting loose a hare, as an omen of victory; which plainly shews, that very few, if any of her confederate forces, were Christians; for, if they had, such a proceeding would have been highly impolitic: in short, it is impossible to fix the date of Christianity in this island with any certainty, till the general persecution under Dioclesian and Maximinus, about the year 303, in which the Christians in Britain are said to have been included by all the writers of that time; for, upon this occasion, the British church is mentioned, and the names of several persons who suffered martyrdom for the Christian faith, the chief of whom was St. Alban. A few years after, A. D. 314, the council of Arles in France was held, at which council, it is certain, three British bishops assisted; as also at the council of Nice, in 325; at the council of Sardis, convened on account of Athanasius; and, lastly, at the council of Ariminum, A. D. 359, when the three British bishops were maintained, during their residence at Ariminum, at the emperor's expence, on account of their extreme poverty; so nearly allied were the good prelates of those days to their Blessed Master. The decrees of these councils have afforded ample matter for ecclesiastical controversy, which has been carried on, as usual, with great partiality, prejudice, and animosity. The grand dispute is the origin of the pretended superiority of the Roman church; a matter of no moment to the present generation. The only information, worth transmitting to posterity, is the undoubted independency of the British church on the see of Rome at its first establishment, though, through the weakness and superstition of our monarchs in after-times, this dependency was avowed and confirmed, to the dishonour of Britain, for many ages: all we know further of the state of the church, to the time that the Romans quitted the island, is, that the heresy of Pelagius was brought into Britain, and for some time greatly disturbed the established church; till at length a disputation was held at Verulam, now St. Alban's, wherein the errors of Pelagius were fully refuted to the satisfaction of the people, who then quietly returned to the discipline of the mother church; and at this period the Christian religion universally prevailed in the British isles.

As to the laws by which our ancestors were governed, we have only to observe, that after the destruction of the Druids, the military government of the Romans, by degrees, was established in South Britain, and the whole administration entirely conducted by military officers of different ranks. A long detail of the several appointments, in the different divisions of the kingdom, has been given in all our modern histories, extracted from the *Notitia of Pancirollus*. It will be sufficient for our purpose to observe, that the whole establishment was a system of slavery, calculated to hold a conquered people in perpetual subjection; every office in the government being filled by the army, from the vicar of Britain, to the keepers of the prisons; and that they were all the creatures of the emperors, from the duke of Britain, down to the very register of his court; all of them holding their commissions under the emperor, or his vicegerents in Britain.

The arts which tend to the comfort and embellishment of life, were little known in these early times; agriculture, the most necessary of all, was totally neglected, through the turbulent state of affairs in Britain, the country being alternately over-run by the Romans, the Saxons and Franks, the Picts and the Scots; and one of the greatest extortions by which the Roman officers amassed vast fortunes, was in the sale of corn from the magazines in time of war. Architecture and the military arts owed their establishments in Britain at this early period, to the selfish views of the Romans, not to their generosity or politeness, as some have imagined; for Agricola did not persuade them to erect public buildings, till he had made them in love with the luxuries of Rome; and then being assured of the degeneracy of their manners, he encourages them to pull down their huts and cabins, made of clay and fods, and to erect temples, market-places, and private houses, of stone; but, above all, fortifications, that they might be able to defend themselves in their abject state, from the just resentment of their brave cotemporaries, the inhabitants of the north, who obstinately defended their liberty to the last moment, and preferred the miseries of war with freedom, to the voluptuous pleasures of a dishonourable peace, purchased by a slavish subjection to the Romans. In the reign of Carausius, A. D. 292, the polite arts were greatly encouraged, particularly architecture and sculpture, the city of London being greatly embellished at this period; and further improvements were made in these arts under the peaceable government of Constantine, who came to the empire in the year 308. Besides these, the art of war was so strenuously cultivated among the Britons, that in the time of Maximus and Constantine, they perfectly understood the Roman discipline, and were so thoroughly exercised in it, that they were reckoned little inferior to the legionary troops; and when they were thus perfect in the military art, their masters took care to transport them to the continent, to fight the wars of their emperors; for, about the year 388, we find no less than twelve considerable corps of British troops intermixed with the Roman forces in different parts of the empire; and this was the principal cause of the defenceless state of the island at the time the Romans quitted it; their policy, joined to the exigencies of the empire, having engaged them to drain it of all the regular troops. Had they remained at home, they might have proved too strong for the Romans; but, being taken abroad, the Picts and Scots were too powerful for the remainder of their countrymen. Thus Britain was lost to the Romans, by the effect of a political measure, which, in the beginning, was designed to secure them in quiet possession of it.

We are next to give some account of the manners and customs of the Britons, during this period; and here we must present to our readers a melancholy picture of the dreadful effects of adopting foreign manners, and of eagerly embracing the effeminate vices and follies of any nation; by this fatal error our ancestors in a moment lost their love of liberty, their sincerity, generosity, and noble simplicity, and, in a word, all sense of public and private virtue. Agricola artfully stole upon them first the Roman language, then the habit, then the gorgeous buildings, the elegant entertainment, the

the costly perfumes, and, lastly, the effeminate voluptuous use of warm baths; so that, in effect, they spoke as Romans, they lived under Roman roofs, they fed upon Roman delicacies, they refreshed their wearied limbs, after wanton debaucheries in Roman baths, and they slept in the arms of indolence on Roman beds; and every spark of patriotism being thus extinguished in their breasts, the force of arms was no longer necessary; for they were conquered without bloodshed. If the same causes in all ages produce the same effects, must not every lover of his country tremble for the fate of posterity, when he beholds the near resemblance which the present state of the manners of this land bears to that of his degenerate ancestors?—We are not Romans at this day, but we are more than half French. The Romans could not prevail against the uncorrupted Picts and Scots by the force of arms; but they conquered the South Britons by the artful allurements we have just exhibited. France has been still more unsuccessful against Great Britain, in open war, than the Romans against the Picts and Scots; she has often attempted the conquest of this country by force of arms, but in vain; how far she may prevail by our fondness for her manners, time alone can discover; but the prospect darkens every hour. The foundation of the depravity of our manners was laid in the reign of Lewis the Fourteenth; the French language was artfully introduced into every court in Europe, but prevailed no where so much as in England, where seminaries upon seminaries are still encouraged for its cultivation; in the next place, though the outsidings of our edifices are not French, because our metropolis is too well inhabited to admit of waste ground for erecting inclosed hotels, yet the ornaments, and even the necessary furni-

ture within, are French; our manufactures, though brought to the highest degree of perfection, are discouraged, and obliged to give place to the contraband commodities of France in the decoration of our persons; as to diet, it is well known that none but French entertainments have subsisted for some time in the houses of persons of quality; and as to the perfumes, and other effeminate delicacies of France, they are so common that the repetition is needless; and, to close the scene of our folly, after having terminated a glorious and successful, but expensive war, great part of the remainder of our specie is daily remitted to the capital of France, to drain this land, and furnish them with the grand engine of perfidy and war.

It may perhaps be censured as premature and unprecedented, to draw a parallel between two such distant periods; but as we profess to write an history on the plan of lord Bolingbroke, whose letters on the study of history will ever be admired, though he was a bad statesman, and a worse theologist, we must aim at instructing the present generation and even posterity; and we are authorised to draw this picture from the records of the earliest histories, wherein the fall of empires and republics, which were once in a most flourishing condition, by the gradual introduction and final prevalency of foreign luxury, is amply and incontestably related. Thus fell Carthage, Rome, and some modern states; and may Britain, seeing the rock, prudently avoid it, and in time shake off France, which is the real mill-stone about her neck; that she may perpetuate her glorious plan of liberty, and continue it under the sanction of the best of princes, and his lineal descendants, till the final dissolution of all sublunary states.

T H E
H I S T O R Y
O F
E N G L A N D.

F R O M

The INVITATION of the SAXONS, to the DISSOLUTION
of the HEPTARCHY.

P A R T II.

THE final retreat of the Romans, at a period when they had reduced Britain to a most defenceless state, completely closed the scene of usurpation they had so long carried on with impunity, by an act of cruelty, totally consistent with their behaviour. In the first act of this tragedy, they found the Britons a free independent people, at war with no foreign power, subject to no invasion of their property, having never given the least umbrage to any of their neighbours: they invaded them, reduced them to slavery, debauched the simplicity of their manners, disciplined and carried off most of the inhabitants capable of bearing arms, and then abandoned them, leaving one part of the island a prey to the invasions of the German pirates, and the rest to the incursions of the Picts and Scots, who were justly enraged against them for deserting the common cause of liberty, and tamely submitting to the Roman yoke*. The earliest æra of the British history is not more obscured by fable and tradition, than the period we are now arrived at. Few authors are to be met with from whom any certain account can be collected concerning the Saxons, for a considerable time after they were invited to Britain. The first author who mentions the Saxons as inhabiting a part of Germany, is Ptolomæus, who is cited by Cluverius in his antiquities of Germany, wrote in the reign of Adrian,

A. D. 120, and afterwards in the reign of Diocletian. They became universally known by their piratical attempts on the British and French coasts, Carausius being commissioned by that emperor, as we have already related, to protect the coasts from these robbers. At this time they were joined by the Franks, another set of German pirates, and these together soon after made up a considerable body; to them were afterwards added the Jutes and Angles. This miscellaneous mixture of different people, known only to the Britons by their frequent invasions of the sea-coasts, where they plundered and laid waste the country, living upon the spoils procured by their lawless rapine, were the hopeful auxiliaries called into the assistance of the inhabitants of Britain, to defend them against the cruel depredations of the Picts and Scots, and who, in return, made themselves masters of the country.

From the year 447 to 450, being three years after the departure of the Romans, Britain was in a state of anarchy; and it is totally impossible to say they had any form of government, a famine and pestilence having spread a general desolation, and carried off the greatest part of the inhabitants; the remainder retreating to forests, woods and mountains, and submitting only to the petty tyrants who ruled over the particular counties in which they resided; tho', about this period, the

* Smollett, the favourite historian of the present age, compares Britain at this period to a family deprived of their parent and protector; but what parent or protector would have thus

basely deserted his children? Not even those that inhabit the wilds of Africa. But it was consistent in usurpers and tyrants; and such were the Romans over the Britons.

Picts and Scots having united with the design of subduing Britain, and having proceeded so far as to break down the wall which fixed their boundaries beyond the friths; Vortigern, the prince of Devonshire and Cornwall, found means to call a general assembly of the nobles and chief inhabitants of these counties, by whom he was elected governor of Britain, but subject to render an account of his conduct to the inferior princes and magistrates. After this election, Vortigern contrived to procure a general consent to send special messengers to invite the Saxons in Germany to their aid, who readily accepted an invitation to a country from which they had often carried off considerable booty; and about fifteen hundred of their best troops being assembled with all expedition, they embarked under the conduct of two brothers, Hengist and Horsa, and soon after arrived at the Isle of Thanet, which was assigned them for their present residence, where they were joyfully received by the deluded people, and greatly caressed by Vortigern, who entered into a treaty with them, by which they stipulated to defend Britain, he engaging to reward them liberally for their services. Soon after, Vortigern finding that the news of their arrival made no impression on the Picts and Scots, who had now extended their incursions as far as Lincolnshire, determined to come to action; and therefore, accompanied by his new allies, took the field to stop their progress: he no sooner engaged the enemy, than they took to flight; but whether it was owing to the superior discipline of these Saxon warriors, or to the terror the Islanders were under in engaging with foreigners, whose manner of fighting they were unacquainted with, cannot be determined; however, all historians agree, they were never able to make head against the Saxons, by whom they were continually defeated; till at length, wearied out with repeated disappointments, they thought proper to abandon their conquests, and make a precipitate retreat to their antient boundaries, about the year 452.

Hengist and his victorious Saxons, having thus restored tranquility to Britain, began to take such measures as were best calculated to encrease their influence in the island, and secure and extend their possessions in it. With this view, observing the universal indolence of the inhabitants, who suffered the land to lie fallow, having no inclination for, and very little skill in agriculture, he persuades Vortigern to consent to a more general invitation of his countrymen, under a pretence that they would cultivate so fertile a country with great diligence, and thereby put it in a more flourishing condition, for the general advantage of the Britons. Having gained this important point, he sends home orders to embark as many families as sixteen ships would contain, and with them to bring over his daughter, a young lady of extraordinary beauty, whose personal charms greatly assisted the Saxons in their political designs; for being introduced to Vortigern soon after her arrival, at an entertainment given by her father for that purpose, he instantly became enamoured of the royal maid, and demanded her in marriage. Hengist, on this occasion, made use of all that low dissimulation which political craft alone can instil into the mind of man: he seemed to be abashed at the proposal, and modestly to decline the accept-

ance of such an honour: pleading the great inequality of this union, and pretending to receive a great obligation, he reluctantly consents; and then, as a further obligation, strange inconsistency! but confirmed by all historians, he receives the county of Kent as a reward for giving his daughter to Hengist.

If we might be allowed here to give place to private conjecture concerning this event, we should depart from the common opinion, and draw this inference from the general bad character of Vortigern: That this grand scene of his marriage with Rowena, was no more than the discovery of the plot of the political farce that had been carrying on in secret between him and Hengist; and we should brand him, from the first correspondence he held with the Saxons, as an infamous traitor, and not honour him, as most have done, with the sacred title of British King.

The Saxons having thus strengthened their interest by an alliance with the British commander in chief, and having received a very considerable reinforcement from Germany, consisting of a mixture of Angles, Saxons, and Jutes, they no longer concealed their ambitious designs, but came to an open rupture with the Britons, having first entered into a private treaty of peace with the Scots. The first pretext for a quarrel was, that Hengist's troops were not paid according to agreement, nor in proportion to their services; and finding that remonstrances on this head had no effect, Hengist founds the justice of taking up arms on this argument: That he had a right to pay himself. He accordingly proceeded to military execution, laying waste the counties bordering on Kent. These proceedings alarming the unhappy Britons, they suddenly, but too late, take a resolution to defend themselves against their false friends; and assembling all their forces, they hold a council of war, in which the conduct of Vortigern is loudly complained of; and, his cowardice and treachery being strongly suspected, they insisted on associating with him in the command his son Vortimer, a prince of great probity, and who was equally remarkable for his wisdom and valour. This measure once taken, all power devolved to the new commander, the army being grown weary of their old general, and strongly prejudiced in favour of his son; so that Vortigern was himself deprived at once of power, reputation, and credit, deserted alike by his own troops and by the Saxons. Various are the relations of the skirmishes and battles said to have been fought in different places, and at different times, by Vortimer and Hengist; and the accounts of the events of these battles differ as much, and are as little to be depended on, as other traditions of these times; no two authors, antient or modern, agreeing in the history of this war, which ended in subjecting that part of England which they afterwards divided into seven kingdoms. This division, and the form of government then introduced, has been stiled, in all the histories of this country, the Saxon Heptarchy.

The Britons withstood the efforts of the Saxons to found these seven kingdoms, from the year 454, to 596, when the heptarchy was totally established. During the intervening epocha of one hundred and forty years, the different kingdoms composing this famous heptarchy were founded at different periods by force of arms, the Saxons continually

sending for fresh reinforcements, which coming over under leaders of great repute, they at first only assisted their brethren, but afterwards settled separately in those parts of the island they had conquered, and assumed a sovereign independent power. We have already observed how fabulous and uncertain this part of the British history appears, which is equally barren of entertainment as of historical truth and instructive information; even the military exploits of Arthur, the famous British prince, said to have been the last defender of the British cause against the Saxons, is so intermixed with romance, and the miraculous superstitions of the times, that little more can be relied on than that such a prince really signalized himself first under Ambrosius Aurelius, who came to the assistance of the Britons against the Saxons, at the head of ten thousand Armoricans; and that, after the death of Ambrosius, who was slain in battle about the year 480, he succeeded to the command, and headed the Britons against several Saxon parties, whom he encountered with various success, till at length he was mortally wounded in an engagement with his own nephew, who had usurped his authority; and being in league with the Saxons, and supplied with reinforcements from the Picts and Scots, had encountered his uncle more than once, but was constantly defeated; and in this last engagement, which put an end to both their lives, the uncle and nephew were so enraged, that they challenged each other to single combat, and Mordred was slain on the spot, but not till he had given a mortal wound to his uncle Arthur, of which he soon after expired at Glastonbury, about the year 542, at the age of ninety; seventy-six years of which he had been in arms in the steady defence of his country.

The kingdom of Kent, which became the chief under the heptarchy, was founded A. D. 457, by Hengist, who was succeeded by Esk; Esk was succeeded by Otta, and Otta by Immeric; and then the crown descended to Ethelbert, the first Christian king of Kent, and the principal monarch under the heptarchy, which was firmly established in his reign, A. D. 596.

The second kingdom, which was that of the South Saxons, was founded about the year 491,

and included the greatest part of the counties of Suffex and Surry; but as it was subject or tributary to the kings of Kent, we find but two monarchs on record before the heptarchy, Ella and Cissa.

The third kingdom was that of the West Saxons, founded about the year 519: it contained Cornwall, Devonshire, Dorsetshire, Somersetshire, Wiltshire, Hampshire, and Berkshire; and was governed by the following monarchs before the heptarchy: Cerdic, Kenric, Ceaulin, Celric, and Ceolwulf.

The kingdom of the East Saxons was next founded, A. D. 527: it comprised Essex, Middlesex, and part of Hertfordshire: Erkenwin and Sledda were the only monarchs before the heptarchy.

The fifth kingdom, founded A. D. 547, was called the kingdom of Northumberland, including Lancashire, Yorkshire, the bishopric of Durham, Cumberland, Westmoreland, Northumberland, and part of Scotland as far as the frith of Edinburgh. Ida, Alla, Ederic, and Edelfrid, reigned over it before the heptarchy.

The kingdom of the East Angles, which contained Norfolk, Suffolk, Cambridgeshire, and the Isle of Ely, made the sixth monarchy: it was founded in 575, and the kings before the heptarchy were Uffa, Tityst, Redwald, Eorpwald, Sigebert, Eglic, and Annas.

The seventh, and last kingdom, was that of the Mercians, founded in 582: it included Gloucestershire, Herefordshire, Worcestershire, Warwickshire, Leicestershire, Rutlandshire, Northamptonshire, Lincolnshire, Huntingdonshire, Bedfordshire, Buckinghamshire, Oxfordshire, Staffordshire, Shropshire, Nottinghamshire, Cheshire, and part of Hertfordshire, and was subject to the following kings: Crida, Wibba, Cheorl, and Penda.

Having thus ascertained the several dates of the foundations of these seven kingdoms, and brought down the regal succession in each to the time of Ethelbert the First, king of Kent, under the heptarchy, we shall proceed to give a concise account of the occurrences worthy our attention, that passed in each kingdom, till the dissolution of the heptarchy, beginning with the kingdom of Kent.

The HISTORY of the Kingdom of KENT.

MOST historians agree, that, about the time Ethelbert began his reign, the whole of South Britain, though divided into seven kingdoms, was denominated England, and all the inhabitants were known by the general name of English, though they consisted of antient Britons or Welch, Saxons, Jutes, and Angles; and Ethelbert, being the most powerful monarch, was on many occasions reputed king of England; but the best authorities not allowing any real king of England till the heptarchy was at an end, we shall only consider him as king of Kent; tho', at the same time, it may be necessary to premise, that from the period we are now arrived at, the history of this island will be confined to that part of Great Britain which is still called England, and that on all occasions the appellations of English and England will be made use of to the time of the union with Scotland, in the reign of Queen Anne.

Hengist was the founder of the kingdom of Kent, which he rendered the most formidable of the seven; but under his immediate successors it fell into decay, and made little or no figure, till Ethelbert not only restored it to its former reputation, but encreased its dominion. At his accession, finding that Ceaulin, king of the West Saxons, had assumed the honour of first or principal monarch, on the decline of the kingdom of Kent, which had enjoyed the superiority in the days of Hengist, he resolved to dispute this dignity by force of arms; and persuading the rest of the kings that Ceaulin aimed at universal monarchy, and had given a proof of it by seizing Suffex, which appertained to the government of the South Saxons, they chose him general, and supplied him with forces to march against Ceaulin as a common enemy. By means of this confederacy Ceaulin was defeated, and died soon after. From this time

Ethelbert

Ethelbert laid aside the mask, and discovered that his own views were more ambitious than those of Ceaulin, whose fall he had effected under the specious pretext of preserving the independency of the other kings. In a short time he found means to get possession of the kingdoms south of the river Humber, the Northumbrians excepted, and rendered himself so formidable, that they submitted to the yoke of arbitrary power, rather than contend with a general of his great reputation; and who besides was in alliance with France, having married Bertha, the daughter of the king of Paris. The most remarkable event in his reign is his conversion to Christianity, which laid the foundation of the conversion of the rest of the Saxon monarchs; but of this we shall treat at large in its proper place, as also of the laws, manners, and customs, which prevailed under the Saxon government. Ethelbert died in 616, after a prosperous reign of fifty-two years: he left his kingdom to his son Eadbald, a most abandoned and profligate wretch in the beginning of his reign, but a sincere penitent, and a good prince, at the close of it; contributing greatly, by his exemplary piety, to the conversion of Edwin king of the Mercians to Christianity; for which reason the crimes he stands charged with by other historians, as the charge is not fully authenticated, shall find no place here. This prince died in 640, and was succeeded by Ercombert, who found means to ascend the throne by the exclusion of his elder brother; but he did not long enjoy it, reigning only four years. He was succeeded by his eldest son Egbert, who fearing the sons of his father's brother, who had been illegally set aside, would lay claim to his crown, he caused them to be put to death; and then, agreeable to the religious notions of those dark ages of superstition and ignorance, in order to expiate his guilt, he gave their sister some lands in the Isle of Thanet, directing her to build a monastery thereon; after which he reigned peaceably for nine years, when he died, and was succeeded by his brother Lothair, to the prejudice of his own children, whom he had left under the guardianship of this usurper.

Lothair assumed the sovereignty in 673, and for ten years enjoyed it in perfect tranquility, when thinking to secure the succession in his own family, he associated his son Richard in the government; which proceeding so highly incensed his nephew Edric, that he fled to Edelwalch, king of the South Saxons, and implored his aid against the usurpers, who furnished him with an army, at the head of which he entered Kent; and, having vanquished Lothair, who died of the wounds he received in the engagement, he was restored to his

right without opposition; for Richard fled to Germany. The victorious monarch, however, reigned but two years, and then dying without children, left his kingdom to his brother Withred, who met with great opposition in ascending the throne; for many of the nobles refused to acknowledge, and even attempted to become independent of the sovereign authority; for which purposes they fortified themselves in their castle. Withred, observing that the kingdom was already in a weak condition, and liable to fall a prey to his ambitious neighbour Ceadwalch, the king of the West Saxons, with great policy suppressed this rebellion, without the effusion of blood, by inviting their general, in whom they had placed the greatest confidence, to share the throne with him. Swabert accordingly ascended the throne with Withred, and enjoyed this dignity four years; after which Withred governed the kingdom alone, twelve years, and acquired universal applause for his great lenity, and his impartial administration of justice. Withred died, A. D. 725, and was succeeded by his eldest son Edbert, who enjoyed his kingdom in great tranquility twenty-three years; and then the crown, by his death, without issue, devolved to his brother Ethelbert, the second son of Withred, who permitted his son Ardulph to partake of the regal dignity; and he dying in the life-time of his father, the succession returned to Aldric, the youngest son of Withred, and the last lineal descendant of Hengist, the founder of the kingdom. Aldric's reign was continually disturbed by the restless ambition of his neighbours, each of whom were willing to add this reduced kingdom to their own dominions; but the most formidable candidate was a prince at a more remote distance, Offa, the king of the Mercians, to whom this kingdom became tributary after the death of Aldric, which happened, according to Malmesbury, A. D. 794.

The royal family being now extinct, the throne was seized by the most powerful man in the state, who prefixed the regal name of Edbert to his own private surname, which was Prin; his usurpation lasted but two years, when Cenulph, king of Mercia, who had already over-run all Kent, took him prisoner, and carried him captive to Mercia, having first, according to some authors, cut off his hands, and put out his eyes. Cenulph then set on the throne one of his creatures, who reigned eight years, as the vassal of the Mercian king; and, after his death, Cenulph accepted the homage of Baldred his son, and suffered him to ascend the throne on the same conditions, A. D. 805. In his reign the dissolution of the heptarchy began with the conquest of his dominions, by Egbert, king of the West Saxons, and afterwards of all England*.

The History of the Kingdom of the SOUTH SAXONS.

THIS petty state, which comprized only the counties of Suffex and part of Surry, makes the least figure of any under the Saxon heptarchy. It was but poorly inhabited, and consequently in but a weak condition; the whole extent of it did not exceed fifty miles, and a very considerable part consisted of uncultivated woods and forests. The

only city of any note was Chichester, built by Cissa.

Ella, who came over with a considerable reinforcement to strengthen the interest of Hengist, in England, about the year 476, founded this kingdom in 491; he was bravely opposed for some time by Arthur, the British prince: but, having at

* Canterbury was the capital of Kent, and it was burnt to the ground in the reign of Ethelbert, about the year 756.

length surmounted all difficulties, he enjoyed the sovereign power twenty three years, and left the crown to his only son Cissa, of whom we have nothing remarkable to relate, except his great age: he could not be less than one hundred and sixteen when he died; for he reigned seventy six years. Matthew of Westminster positively asserts, that he came to England with his father, in 476.

Cissa dying without issue, Ceaulin, king of the West Saxons, seized the kingdom, which laid the foundation of the confederacy against him, already mentioned in the history of Kent. After this event this little state was subject to several revolutions unworthy our regard, and was at length totally subdued and united to the kingdom of the West Saxons, A. D. 754.

The Kingdom of the WEST SAXONS.

IT must be observed, that in the first division of England, according to the plan of the heptarchy, three of the kingdoms were considered as superior to all the rest; two of these were chiefly inhabited by the Angles, from whom the name of English is derived, and one by Saxons. The two English governments were Northumberland and Mercia; and in them were included the kingdoms of the East Saxons, or Essex, and of the East Angles, containing Norfolk, Cambridgeshire, and the Isle of Ely. The kingdom of Wessex, or of the West Saxons, was the third superior kingdom; it was situated south of the Thames, and extended from the borders of Sussex to the river Tamar, by which it was separated from Cornwall.

The founder of the kingdom of Wessex was Cerdic, from whom Guthrie pretends the illustrious house of Hanover is lineally descended; but, as we think this reflects no honour on that august house, we shall not enquire from what authority this pedigree is derived, especially as it is only noticed by him and Tindal, the continuator of Rapin.

Cerdic undoubtedly was a great general; but, like the rest of his brethren, he was an invader; who, by the lawless power of arms, took possession of the estates and effects of the Britons, who had given him no offence; and, therefore, his name ought to be branded in history by every virtuous historian on whom the love of liberty has any effect.

This hero arrived in England, A. D. 495, with a considerable army, "to seek his fortune, having no longer any employment in Germany," says Tindal. It is remarkable that these two historians, just mentioned, seem to have taken a pleasure in expatiating at large on the military exploits of Cerdic, in England, while he is making head against Ambrosius Aurelius, and Arthur, who were strenuously defending the falling liberty of their country, and who met with an opposition fatal to themselves and to their country, from the victorious arms of this pretended ancestor of our present most truly religious and virtuous sovereign, the defender and most clement guardian of the liberties of his subjects, who is not allied by blood, and much less by sentiment, to a Saxon invader. Cerdic enjoyed the sovereignty of Wessex in great tranquility after the death of Arthur, and lived to the year 534, when he was succeeded by Cynric his son, who reigned only four years; and then left the crown to Ceaulin his eldest son, who exerted himself in maintaining and extending the original superiority of Wessex, by reducing the power of the neighbouring princes; and at length by seizing the petty kingdom of the South Saxons, which rash measure proved fatal to his affairs: for the rest of the kings of the heptarchy, being appre-

hensive that he aimed at universal monarchy, they united their forces against him, as we have already observed in the history of Kent; and being totally defeated, he fled to some unknown retreat, and was never after heard of. Ceolric, his nephew, was set upon the throne by the victorious Ethelbert, king of Kent; and, as he was entirely devoted to his benefactor, his reign proved peaceable, but not remarkable for any great event; he died A. D. 598, and was succeeded by Ceolwulf his cousin. The reign of this prince was greatly disturbed by the revolt of the South Saxons; but having at length defeated them, though they were powerfully assisted by the Picts and Scots, he held them in strict subjection; and his warlike disposition rendering him ever active and vigilant, he supported the grandeur of his kingdom with greater dignity, and acquired more esteem and respect than his predecessors; he died in 611, and was succeeded by Cinegils his nephew, who, in the beginning of his reign, gave half of his kingdom to his brother Quincelm; and they reigned together in the greatest harmony, jointly obtaining a signal victory over the Britons, A. D. 614. Quincelm died in 635, and Cinegils in 643, when Cenwal his son succeeded to the crown, but not to the virtues of his father, being an unstable, pusillanimous, voluptuous prince, who gave himself up to riot and debauchery, and the most flagrant acts of injustice and impiety. Having embraced Christianity he married the sister of Penda, king of Mercia, and soon after renounced his religion, and repudiated his wife, equally without cause, owing entirely to the vicious instability of his temper. Penda, highly resenting the insult offered to his sister, entered his dominions with a powerful army; and, finding his subjects generally disaffected to their sovereign, he soon obliged him to retire to Annas, king of the East Angles, where he remained three years, while Penda kept possession of his abdicated throne; but at last, being once more converted to Christianity, and reclaimed from his vicious courses, he was restored to his dominions by the assistance of Annas. Some years after he was engaged in a war with Wulfer, the successor of Penda. The issue of this war is uncertain, owing to the different relations of the ancient historians. Malmesbury asserts that Cenwal defeated Wulfer, while Henry of Huntingdon maintains that Wulfer had the advantage, which is most probable, because he certainly made himself master of Sussex and the Isle of Wight, which he could not have effected, if he had not been the victor. He died in 672, and left his kingdom to his queen, who reigned but one year. Historians give her a great character, but are uncertain whether she died or was expelled by her subjects, who disdained to submit to the government of a woman. The kingdom

kingdom now suffered a revolution for ten years, being dismembered and governed by three monarchs at a time, who assumed the sovereignty by no other claim than that of being the first nobles of the court. Cenfus indeed pretended to be a descendant of Cerdic. However this be, it is certain that at this time Cenfus, Efcwin, and Centwin, equally shared the supreme power, and were attacked the following year by Wulfer, who gained the advantage, but with great loss on both sides. Cenfus and Efcwin both died in a short time after the loss of this battle, and Centwin then reigned alone. A. D. 682, he defeated the ancient Britons inhabiting Wales, and, having plundered the country, drove the inhabitants to the sea-shore. Towards the end of his reign his subjects grew disloyal, and encouraged Ceadwalla, a prince of the royal blood, to lay claim to his crown; but he had not the mortification to see their designs take effect; for Ceadwalla was for some time opposed in his progress by Adelwalch, king of Suffex; and in the interim death put an end to the commotions which disturbed the tranquility of his days. He died in 686; and Ceadwalla, at the head of a victorious army, having defeated Adelwalch, seized on the vacant throne. Ceadwalla was a prince of an enterprising genius; and, being fond of acquiring military fame, and equally desirous of enlarging his dominions, he was continually at war, first with the South Saxons, against whom he proved victorious. He then entered the kingdom of Kent; but not being able to reduce it, he carried off a considerable booty. After this, he attacked the Isle of Wight, which had belonged to the South Saxons from the time that it was granted by Wulfer to Adelwalch. Alwald, brother to Authun, the reigning monarch of Suffex, made a vigorous defence; but was at length forced to yield to superiority of numbers, and abandon the place, leaving it to the mercy of the conqueror, who cruelly resolved to put the inhabitants to the sword, because they had not embraced Christianity. He was dissuaded from this horrid act by Wilfred, an English bishop, who represented to him that his zeal for the Christian religion would be better shewn by endeavouring to convert them; and, the king relenting, they were all baptized soon after, readily embracing any religion that would release them from impending death; but, however they might afterwards be convinced of the truth of Christianity, it is certain no merit can be ascribed to this forced conversion.

A. D. 688, Ceadwalla made a journey to Rome, in order to receive the honour of a public baptism by the hands of the pontiff. In this journey he met with the most respectful treatment from all the princes through whose dominions he travelled, and on his arrival at Rome was christened by pope Sergius II. by the name of Peter: however, he did not live to enjoy the fruits he might expect from this extraordinary step, which, in a prince of his character, may fairly be attributed to other motives than those which he set forth to view: he

died a few days after his baptism, and was buried in St. Peter's church, with a pompous inscription, setting forth his great zeal and devotion, and from which we learn that he was not full thirty years old at the time of his decease*.

To him succeeded his kinsman Ina, who possessed all those virtues in reality of which his predecessor had only worn the appearances, and seems to have acquired the crown rather by his personal worth than upon the strength of royal descent†; Ceadwalla having left two sons, minors indeed, by his wife Cenditha. In less than twelve months after he began his reign over the West Saxons, he was unanimously chosen by the East Angles for their king; an additional proof of the esteem his amiable character had acquired him. He was no sooner raised to the supreme authority, than he turned his thoughts towards the better government of the people committed to his care. With this view, he compiled a body of laws, most of which have come entire to our hands, and are at once curious, instructive, and beneficial, and served as the ground-work of those which were afterwards published by the great Alfred.

The first military exploit of his reign was marching into Kent, in the year 693, against the king of that country, in order to complete the revenge which he thought due to the manes of his kinsman Mollo; but Withred, the sovereign of the East Saxons, averted the impending storm by a timely submission and a large sum of money, with which he engaged Ina to return back to his own dominions.

We again find him engaged in a second expedition in the year 710, or, according to some authors, 715, against Goruntus, a prince of the Cornish Britons, part of whose country he subdued. What advantages he made of this conquest history does not inform us. He next took the field against Ceoldred king of Mercia, who had by some means incurred his displeasure. Here also he proved victorious, though not without sustaining a strong resistance, which for a long time made the issue of his arms doubtful. In the thirty-sixth year of his reign, the South Saxons having rebelled against him, and set up a king of their own, he entered their country, of which he made an entire conquest.

But now, in the height of his glory and reputation, renowned at home and dreaded abroad, Ina fell into that disorder which is so incident to old age, and is moreover the peculiar malady of times of darkness and ignorance: he was seized with imaginary or real qualms of conscience, which made him resolve to abdicate the throne for a religious retirement. He was not a little encouraged in this disposition by the suggestions of his queen Ethelburga, who was likewise infected with the same disease, and in whom, on account of her sex, it was doubtless more excusable than in a wise and victorious prince, such as Ina: in a word, he resigned the sovereign authority, went to Rome, assumed the habit of a monk, and ended, in contempt and

* We are told by Dr. Powel and Mr. Vaughan, in their learned notes upon Candoc's Welsh Chronicle, that this Ceadwalla's true name was Edwall, or Ethwall; which seems to agree with what Guiderius relates of one Ethwall prince of Wales, who about this time went to Rome, and there died. This supposition seems to carry with it the greater semblance of truth, as it is a very easy matter for a capital C to creep

in; since it was commonly used in old hands as a signature at the beginning of a paragraph, and might by an ignorant copier be printed to the name itself, and thus of Edwal make Cedwal, Cadwal, or Ceadwal, from whence Cadwallader.

† Ina was the grandson of Ceowald, who descended in a right line from Cerdic.

obscurity, a life, the former part of which had fully entitled him to the admiration and esteem of all his cotemporaries. His wife Ethelburga soon after followed his example, and retired into the monastery of Berking. This event happened A. D. 727.

Previous to this step, so unworthy a great prince, he established the famous tax of St. Peter's Pence throughout his dominions, which, though at first intended only for the maintenance of English students at Rome, was afterwards claimed by the papal see as a regal revenue; it ever being the crafty practice of the church of Rome to improve charitable donations into indefeasible rights.

There are many other particulars relating to this prince, which we find darkly hinted at throughout history, but which our ignorance of those times prevents us from attaining a perfect knowledge of; and the plan we have laid down to ourselves in this work will not suffer us to impose idle conjectures or vague assertions on our readers for matters of fact.

Ethelhard ascended that throne which his kinsman Ina had quitted in his favour, and to which he was called by a general assembly: nevertheless, he found his authority contested by Oswald, a young prince of the blood-royal, who found means to raise a considerable party in the nation; but Ethelhard, marching against him, gave him a total overthrow in a pitched battle, and afterwards reigned unmolested during the sixteen years that he lived after his accession.

At his death, which happened in the year 743, his relation Cuthred assumed the reins of government. In the course of a reign of fourteen years, he obtained a complete victory over the Mercians by the fidelity and prowess of his general Ethelul, and united a part of Cornwall to his own kingdom; and, dying in the year 754, left his crown to his nephew Sigebert, whom history represents to us as a prince of a boundless ambition, destitute of every virtue, and aiming at a lawless sway; which so exasperated a people accustomed to enjoy the sweets of liberty, that putting one Kenewulf, a prince of the blood, at their head, they removed from the throne a monarch who appeared so unworthy to rule over them; allowing him, however, the revenues of all Hampshire for his subsistence. Here he might have peaceably enjoyed the happiness of a private life; but that restless thirst of power, which had occasioned his first disgrace, still remained with him in his exiled state: he began to form parties and raise commotions in the kingdom, till at length he was pursued by Kenewulf, who had succeeded him on the throne of the West Saxons, and obliged to save himself by flight in the forest of Andereda, or Andred, where he was slain by a swineherd; and thus terminated an ambitious and cruel life by the most ignominious end.

In those days little regard was paid to lineal descent, which we find frequently set aside for the interest of the state, or to answer the views of a prevailing party. This was the case in the succession now before us; for Cunehard, the brother of the deposed king, was still living, and consequently had an undoubted right to the throne before Kenewulf. This latter, conscious of a superior claim, and willing to divert the minds of his subjects, if left in repose, from animadverting thereto, fought to stifle all disagreeable enquiries in the blaze of

military successes, and accordingly led them against the Britons, over whom he gained several signal victories. Nevertheless, he could not so far overcome his fears, but that he ardently wished for the moment which might deliver him from a person who might one day prove a dangerous competitor. Cunehard, who kept a strict eye over all his actions, soon found what he had to dread from his supplanter on the throne, and thought himself justly warranted to prevent the dangers he foresaw. Accordingly he formed a powerful party, and knowing that Kenewulf was accustomed to make private visits to a lady at Merten in Surrey, on which occasions he went attended by a very small retinue, he resolved to pitch upon one of those meetings to fall upon the king, and by his death recover a crown which he unjustly withheld from him. The plot succeeded to his wish; Kenewulf, unprepared for the attack, fell a victim to superior numbers, but not till he had defended himself with a courage which made him worthy of a better fate. Cunehard, however, did not long enjoy the fruits of this bloody enterprise; the murdered king was beloved by the generality of his subjects, who, forgetting what they owed to the lineal descendant of their prince, listened only to their affection for the person they had chosen to rule over them, and who had freed them from the rod of tyranny. The people headed by two noblemen, friends and relations of Kenewulf, advanced the next day against the murderer; and deaf to all his arguments, and even the most lavish offers of honours and rewards, attacked him with their whole force. Cunehard, who, on the first notice of the storm which threatened him, had taken shelter in a town, was compelled to yield; and, after an obstinate resistance, he and all his accomplices were put to the sword.

The death of Kenewulf thus revenged, the people placed his son Brithric on the throne. This prince, who was of the blood of Cerdic (to which due regard had been always paid in the midst of all the changes made in the succession) began his reign in the same year, 754, in which his two predecessors were killed. He was by nature of a pacific disposition, and placed his glory rather in cherishing the arts of peace than in acquiring military fame, though, at the same time, without enervating the minds of his people. Yet beneath this meekness and moderation he concealed those sentiments of jealousy which seemed constitutionally rooted in the breasts of the Westsaxon princes against their kinsmen, on account of the unstable state of the succession, and which he could not forbear shewing against Egbert, a prince of the blood-royal, whose name began now to acquire that credit which afterwards raised him to the supreme rule. Egbert, aware of the danger which threatened him, took refuge at the court of Offa, king of the Mercians; but, not liking the reception he met with there, he retired into France, where Charlemagne received him with open arms, and conferred on him every mark of the highest esteem. At this court he remained twelve years; and here he first conceived that famous project which he afterwards carried into execution, and by which he united the different kingdoms of the heptarchy under one head.

About this time the Danes began to render themselves as formidable by their piracies as the Saxons

Saxons had done before. In the year 787, they made a descent, for the first time, at Portland, with three ships, but were soon routed by the inhabitants of this country, with great slaughter, and obliged to retire with the utmost precipitation to their wooden fortresses, covered with disgrace, and disappointed of their booty. This was the first prelude to the many fatal descents they afterwards made upon this island.

And now Brithric, eased of his fears by the voluntary exile of the young Egbert, seemed desirous

of wiping off all aspersions on his character, on account of his maltreatment of that deserving nobleman, by every act of a just and virtuous administration, in which he so far succeeded as to become the darling of his subjects; but his glory and his life met with a fatal end, through the treachery of his wife Edburga, who poisoned him in the year 799, and in the sixteenth year of his reign. After which execrable deed she fled over to France, where she died through want, after having lived some time in universal contempt.

The Kingdom of the EAST SAXONS.

THIS kingdom was founded by Ercenwin, the descendant of Woden, who began his reign about the year 527. We find nothing recorded in history concerning this prince worthy the notice of our readers, notwithstanding he swayed the sceptre upwards of sixty years. He was succeeded by his son Sledda, A. D. 587, who, after a short but peaceable reign, left the throne to his son Sibert, or Sigebert, in the year 596. This prince embraced the Christian religion at the instance of his uncle Ethelbert, king of Kent, assisted by the preaching of Melitus. Walsingham tells us that this Ethelbert built the church of St. Paul, in London, where an old temple of Diana formerly stood, and that Melitus was its first bishop. Sibert himself, after his conversion to Christianity, built another church on the spot where a temple dedicated to Apollo had once stood, and which is now St. Peter's, at Westminster; and signalized himself by many other acts of piety. He died after a reign of about seventeen years.

Upon his decease the kingdom devolved to his three sons, Saxred, Siward, and Sigebert, who reigned jointly, and who, immediately upon their accession, renounced the Christian religion, which their father had embraced, and became its most inveterate foes; insomuch, that the good bishop Melitus, who had been in high favour during the preceding reign, was obliged to seek his safety by flight. The three brothers having entered into a quarrel with Cenegils and Quincelm, joint kings of Wesssex, were by them defeated and slain in the year 623.

After them followed Sigebert, surnamed The Little, concerning whom history is altogether silent, save that he was succeeded on the throne by Sigebert the Good, his cousin-german, notwithstanding he left a son and a brother, both living, at his decease. This Sigebert was the son of Sigebald, brother of Slebert the son of Sledda, by his queen Ricula. With him the Christian religion was again restored throughout the kingdom of the East Saxons, chiefly by the labours of Cedda, by birth a Northumbrian, and

afterwards made bishop of the East Saxons, on whose account Sigebert was murdered by two of his noblemen, whom he had offended by taking part with the prelate, who had excommunicated them for being guilty of several profligate and irreligious practices: but Bede seems to insinuate, that Cedda himself procured the death of his sovereign and benefactor, in revenge for his having shewn a partiality for those noblemen on whom he had passed ecclesiastical censure*. This catastrophe happened in the year 622. The crown then came to his brother Swithelm, at whose death it was enjoyed jointly by Seba and Sigher, the one son to Siward, and the other to Sigebert the Little. An epidemic distemper which broke out among his people, and was attended with a great mortality, made the latter throw off Christianity, in spite of the remonstrances of his colleague, who continued unalterable in the faith he embraced, and who, proving the longest liver, reigned eleven years alone, and in the decline of his days turned monk, after having abdicated the throne, after a reign of thirty years, in favour of his sons Sigert and Se-frid, whose reigns furnish us with nothing material.

Offa, the son of Sigert, was the next king of the East Saxons. This prince was remarkable for his great beauty. Like his grandfather, he ended his days in a convent. His successor was Seolrid, who mounted the throne in the year 709. This Seolrid was son of Sibert, or Sigebert the Good: he reigned thirty-eight years, and died without issue A. D. 747. William of Malmesbury hints that he was murdered; but by whom, or on what account, does not appear.

After him came his son Swithred, who was the last king of the East Saxons. In his time the famous Egbert perfected his plan of absolute dominion over the seven Saxon kingdoms, in the manner as shall be related in its proper place.

And here we must close the history of the kingdom of the East Saxons, concerning which all the accounts we can gather are at best but very lame and imperfect.

The Kingdom of NORTHUMBRLAND.

THIS kingdom, the fifth of the heptarchy, was founded in the year 547, by Ida, after whose death it was divided into two provinces, called Deira and Bernicia; the first including the southern parts, and the other beginning at Severus's wall, and running a considerable way into Scotland, in

the low countries of which we find many traces of the Saxon customs and manners. On the death of king Ida, his son Adda took possession of the province of Bernicia, and his other son Alla of the kingdom of Deira.

Concerning the first five successors of Adda, we

* See Bede, l. 2.

know little, except that their names were Clappa, Theodulph, Freothulph, Theodric, and Ederic, and that they reigned, the first seven, the second one, the third and fourth seven each, and the last two years. Ederic, saith W. of Malmesbury, after a life spent in poverty and obscurity, came to the crown in his old age, when, sensible that the weight of government was too heavy for him to sustain alone, he associated with him in the sovereignty his son Ethelfrid, who, upon his death, married Acca, daughter to Alla, by which alliance he got possession of the kingdom of Deira, regardless of the rights of Edwin the son of Alla, then an infant. Ethelfrid, though an usurper, was a man of great valour, and made himself respectable both at home and abroad, in particular to the Scots and Picts, whom he humbled on several occasions; beating the Scottish king Aydan in a pitched battle, and obliging him and his people, who had made frequent incursions upon his territories, to confine themselves within the limits of their own dominions. He likewise chastised the Britons, who had incurred his displeasure by persuading Aydan to enter his kingdom, and assisting him with their arms: he advanced to besiege the city of Chester, where they had shut themselves up, resolved to stand out to the last extremity; but, upon seeing them approach, they bethought themselves of a scheme truly worthy of those times of fanaticism and ignorance. They assembled a multitude of monks, to the number of twelve hundred and fifty, most of them belonging to the monastery of Bangor, who, marching to the place where Ethelfrid's army lay encamped, fell to practising their religious mummeries, in hopes to terrify the victorious monarch with the apprehension that heaven declared against him. But Ethelfrid, who came to inspire terror, and not to be affected by it, ordered them to be all put to the sword; and afterwards, falling upon the dismayed Britons, gave them a total defeat. After this victory, he commanded the monastery of Bangor, whence this praying forlorn-hope had made their folly, to be entirely razed to the ground; and then, putting a garrison into Chester, directed his march for Wales: but here he met with a considerable check from three British generals, who opposed his march, and after an obstinate fight obliged him to retreat into his own country with great loss.

While these things were transacting, Edwin the young son of Alla, whose rights had been infringed by Ethelfrid's taking possession of the throne which belonged to him, had taken refuge at the court of Redwald, king of the East Angles, by whom he had been hospitably received. But Ethelfrid, whose jealousy would not suffer him to rest so long as this young prince was living, sent ambassadors to Redwald with offers of a considerable reward, if he would deliver up Edwin, or otherwise to menace him with a bloody war, in case he persisted to protect him after such requisition; but Redwald, listening rather to the dictates of honour, than those of avarice or fear, refused to comply with the demands of the ambassadors, and prepared for resistance, in case Ethelfrid should be disposed to put his threats in execution. What he had foreseen, and so wisely provided for, came to pass; for im-

mediately, on the return of his ambassadors with Redwald's answer, Ethelfrid declared war against that prince, and immediately took the field. The two armies met near the river Idel, upon the borders of Mercia, when a most bloody battle was fought, in which victory declared on the side of Redwald, and the usurper was slain, and his army totally routed. In this conflict, Ethelfrid gave proofs of the most signal valour, and killed Reiner, one of Redwald's sons, with his own hand. This battle was fought in the year 617.

Redwald now improved his good fortune, by marching immediately into the heart of Northumberland, where the fame of his victory flew before him, and anticipated all opposition. The three sons of the usurper, Aufrid, Oswald, and Oswy, far from making a stand against him, fled precipitately into Scotland; and Edwin, victorious in right of his protector, received the general homage of the Northumbrians. Soon after this expedition, which had covered him with glory, Redwald died, and left the sovereignty of the heptarchy open for Edwin.

Edwin possessed every requisite to make a monarch great, and a people happy. He had the art of concealing the strongest ambition beneath an exterior gentleness, which won him all hearts; and by an openness in matters of indifference, that seemed to discountenance all pretence of suspicion, he disguised his real intentions in affairs of consequence. He employed the first year of his reign in civilizing his people, grown brutal by the continual practice of war and rapine; and enacted such wholesome laws, and caused them to be executed with such punctuality, that he soon restored peace and good order in his kingdom; insomuch, saith Bede, "that a woman, with an infant in her arms, might have walked over the whole kingdom without fear of violence."

The death of Redwald, which happened in 614, gave him an opportunity of displaying, to its full extent, that ambition which was the prevailing passion of his soul. He openly aspired to the supreme power over all the other kings of the heptarchy, none of whom offered to oppose him in his pretensions, but Quincelm, king of the West Saxons, who resolved to assert his independency, though at the hazard of his life and dominions; but fortune not seconding his noble resolution, he was, after some contest, obliged to sue for peace: and Edwin, being now vested with the sovereign command, had thoughts of turning his victorious arms against the Britons; but they, having got notice of his design, averted the impending storm, by consenting to pay a tribute. Soon after Edwin, at the instigation of his queen Ethelburga, and, as some say, of his chief minister Coisy, who was also the high-priest of his idolatrous religion, embraced the Christian religion, together with all his court*: but this change of faith made no change in his disposition. Grown more haughty and insolent, by a continued series of successes, he affected every external mark of absolute authority, which at length awakened the jealousy and resentment of all the other princes of the heptarchy, and in particular of Penda, king of the Mercians, a restless, savage,

* Edwin was baptised in the year 627, being the eleventh of his reign, at York, by the hands of Paulinus, whom he made bishop of that see.

bold and enterprising man, who, joining with Ceadwalla, or Cadwallen, king of the Britons, who had also been oppressed by Edwin, they brought their united forces into the field, resolved to shake off the yoke of the Northumbrian prince, or perish in the attempt; and advanced as far as Hatfield, in the west-riding of Yorkshire, whither Edwin, on his side, led his army to meet them. After an engagement which was fought with desperate fury on both sides, and which for a considerable time rendered the fate of the day uncertain, the confederate princes gained a complete victory. Edwin was left dead upon the field, after having beheld his son Offrid slain before his eyes with an arrow, and his Northumbrians fled before the allies, who made the most inhuman use of their victory. This fatal event befel Edwin on the 12th of October, A. D. 633; and in the forty-eighth year of his reign, Eadfrid, his second son, was treacherously put to death by the conqueror Penda, and his queen Ethelburga fled with Paulinus bishop of York into Kent, the king of which country gave her the most hospitable reception, assigned certain lands for her subsistence, and made Paulinus bishop of Rochester.

The people of Northumbria, miserably harrassed by the barbarity and tyranny of their new masters, resolved to make an effort to recover their liberty. Osric, a relation of Edwin, seized the kingdom of Deira, and Anfrid, the son of Ethelfrid, who had taken refuge with his brothers Oswald and Oswy in Scotland, where they had all three been converted to Christianity, got himself elected king of Bernicia; but the reigns of these two princes were of a very short duration; for Osric having besieged Ceadwalla in York, the Briton made a furious sally, and with his own hand made Osric pay the forfeit of his rashness with his life: after which he marched against the new monarch of Bernicia, and, falling upon him unawares, a terrible slaughter of the Bernicians ensued, and Anfrid shared the same unhappy fate with Osric. Our old historians pretend, that this was a judgment which befel these two princes on account of their having apostatized after their accession to the throne.

Ceadwalla now exercised the most unlimited cruelty against the wretched Northumbrians, and behaved in every respect, more like a tyger than a man; but heaven did not permit him long to prosper in his treachery and blood-thirsty disposition. Oswald, the second son of Ethelfrid by Acca, Edwin's sister, who was then an exile in Scotland, bravely undertook to relieve his distressed countrymen from the oppression they groaned under; and gathering together an handful of men, animated with that glorious enthusiasm of liberty which ever produces the greatest effects, he marched against the tyrant, who, secure in the infinite superiority of his troops, looked upon Oswald and his little army as a sacrifice devoted to his pride and ambition, and went to meet them, rather as a prey than an enemy. Both parties met at a place a little to the northward of the wall of Severus, now called Benfield. Ceadwalla advancing at the head of his army, which he termed invincible, in order to force the intrenchments of the enemy, was shot to the heart by an arrow, and instantly fell dead on the field. This unexpected accident struck his men with a panic, of which

the Northumbrians taking advantage, rushed forth from their camp, and fell upon them with such fury, that in a short time, a total rout ensued. Oswald, full of wonder and gratitude for a success which was evidently the immediate work of God, erected a cross on the spot, and called the name of the place Heoffenfelt, or Heaven's Field.

This glorious victory, which happened in the year 634, made Oswald absolute master of the kingdoms of Deira and Bernicia, to which he had a double title, as heir to his father Ethelfrid, and his mother Acca, Edwin's sister. No sooner was he peaceably seated on the throne than he sought to make his people forget, by the mildest administration, the heavy oppression they had so long groaned under. He enacted several salutary laws, polished the minds and manners of his subjects, and in every respect shewed himself a prince worthy of reigning over a free and generous people. Among the many virtues which adorned the heart of this monarch, none rendered him more deservedly dear to his people than his extensive charity, of which historians record many rare and noble instances: in a word, the excellency of his character induced the other princes of the heptarchy to raise him with one consent to the supreme command of their confederacy. Unhappily it produced a very different effect on the mind of Penda, the Mercian king, who, jealous of the fame of Oswald, and impatient of a superior, entered his kingdom with a powerful army. Oswald in haste assembled such troops as were at hand, and marched to oppose the invaders. Both armies engaged at a place then called Maserfield, but which, from the fate of that day, was afterwards named Oswestree. The battle went against Oswald, who was slain in the thirty-eighth year of his age, A. D. 642, and in the ninth of his reign, leaving behind him a son, named Ethelwold, who being an infant, the Bernicians chose Oswy, the brother of Oswald, for their king; and the Deirians placed their crown on the head of Oswin, the son of Osric, and cousin to Edwin the Great.

The strictest union subsisted between these two princes so long as the arms of the formidable Penda threatened them with daily invasions; but no sooner was that apprehension removed by Penda's being engaged in other wars, than Oswy, taking advantage of the inactive disposition of his brother Oswin, formed the design of invading his territories. That pacific prince thought to mollify his brother by every possible concession; but finding that method ineffectual, he had recourse to arms. However, when the two armies were on the point of engaging, Oswin, finding that he had not a force sufficient to encounter with his brother, disbanded his troops, and took refuge for his own person in the house of count Hunwald. This nobleman, regardless of the laws of hospitality, basely delivered him up to Oswy, by whose orders he was murdered at a place called Ingethlongum, now Gelling, near Richmond, in the year 651, and was succeeded on the throne of Deira by Edelwald, son of the excellent Oswald, whom the people of that kingdom chose out of resentment to the treachery and baseness of Oswy.

The new king, sensible that he had every thing to dread from the restless temper of Oswy, irritated by disappointment, sought to support himself against his power by leaguings with Penda, whose hatred

hatred against the Northumbrians had not subsided, though now on the verge of eighty. The king of the East Angles joined also in this league. Oswy in vain sought to bring over Penda from the confederacy by the means of bribes and submission; the haughty Mercians sacrificed every consideration to his thirst for revenge, and committed such frequent and heavy depredations on the dominions of the king of Bernicia, that this latter was at length obliged to take up arms in his own defence, and bound himself by a solemn vow to found twelve monasteries, and devote his daughter to a monastic life; thus fondly and ingloriously attempting to traffic with heaven for its assistance.

The army of the confederates and that of Oswy met near a place now called Leeds, in Yorkshire. Here Ethelwold acted a part which some historians condemn as treachery, but to which he was determined by motives of policy and self-defence. Fearful that he should become the prey of which ever party had the victory, he resolved to remain inactive, and wait the event. Accordingly, when Penda and the king of the East Angles attacked the Bernicians, instead of joining them on the onset, he wheeled off to some distance with his Northumbrians. The forces of the two former thinking themselves betrayed, gave back in great disorder, and the two chiefs were slain in attempting to rally them. A total rout now ensued, and the stream of the river Air was choked with the dead bodies of those who precipitated themselves therein, to avoid the fury of their pursuers.

This victory, which was gained in the year 655, opened Oswy a way into Mercia, of which he made the entire conquest, obliging the sons of Penda to seek refuge in another kingdom. In consequence of this increase of power, he was chosen chief of the Saxon confederacy, to which no one had succeeded since the death of Oswald; but so rigorous was his administration, and so rapacious were his substitutes in the exercise of their several departments, that the oppressed Mercians had recourse to arms, in order to throw off a yoke that was now grown insupportable. Their efforts were attended with the desired success; the Northumbrians were compelled to abandon the kingdom, and Wulpha, the son of Penda, assumed the crown, A. D. 670.

Oswy, however, soon found himself indemnified for this loss by the acquisition of Deira, to which kingdom he succeeded upon the death of Ethelwold, who left no issue; but the two kingdoms did not long continue united; for in a little time he gave Deira to his natural son Alfred, and ended his days in peace, after a reign of twenty-eight years; during which he had experienced numberless vicissitudes of fortune, owing to a spirit of ambition, which continually prompted him to invade the rights of others, in order to aggrandise his own power. Before he died he endeavoured to establish himself in the good opinion of his subjects, by making an atonement for the death of Oswin, to whose memory he erected a monastery on the spot where he was murdered; thus endeavouring at once to blind mankind, and compound with an offended God for acts of impiety.

After his death, which happened in the year 670, Egfrid mounted the throne of Bernicia; and, partaking of the same ambitious disposition with his predecessor, he found means to engage the

subjects of Alfrid to rebel against him, who thereupon quitted the throne, and fled to Ireland for refuge, where he led a life of study and retirement.

Egfrid was a prince of a bold, enterprising, and active genius. Soon after his accession, he found himself obliged to take up arms against Wulpha, king of the Mercians, who had entered his territories in an hostile manner, and whom he quickly compelled to retreat. His reign was distinguished by the remarkable contest he had with Wilfred Bubow of Canterbury, whom he expelled from his see, and who set the first example of appealing to the see of Rome, whose power, however, was so inconsiderable in this island at that time, that both the king and his council set at defiance a decree of the pope in a synod, restoring Wilfred to his see, and even committed that prelate to close confinement for the affront he had put upon the royal jurisdiction and authority. He attempted the conquest of Ireland, in which he failed; and, to make amends for his disappointment, turned his arms against Scotland, notwithstanding a treaty of alliance which he had concluded with Eugenius, king of that country, and penetrated as far as Galloway, marking his progress with fire and sword. In this invasion he was assisted by the Picts; but Eugenius, opposing stratagem to force, secretly prevailed on the Picts to draw off their forces from Egfrid, who being thus deserted, was no longer in a condition to withstand the powerful forces of the Scottish king, by whom he was attacked with such fury, that after seeing most of his army cut to pieces, and being wounded himself, he was glad to retreat with his life to his own kingdom. Raging with disappointment, and meditating the most severe revenge upon the Picts for their treachery, he took the field early in the ensuing year, and entered their country with a powerful army; but, being blinded with his fury, he neglected every necessary precaution, and suffered the enemy to draw him into an ambush, where he lost his army and his life together, in the year 686. The Picts made the best use of their victory, recovered part of their country which they had lost, and threw off the yoke of the Saxons, to whom they never afterwards paid any tribute. The Britons likewise, availing themselves of this favourable conjuncture, seized those portions of dominion which had been wrested from them, and entirely recovered their liberty.

Egfrid dying without issue, the Northumbrians recalled Alfrid from his exile in Ireland, and placed him on their throne. He was not able, however, to recover those places which the enemy had taken, and therefore contented himself with defending those territories which remained to him against their incursions and ravages, by which they kept him in continual alarms during the eight and twenty years that he reigned. He died in the year 705, leaving his son Osred, an infant of eight years old, under the care of a nobleman named Berectfrid, who seems to have discharged with great fidelity and bravery the important trust committed to his charge. Alfrid appears to have been a prince of great learning, genius, and talents, and of a spirit not to be depressed by adversity, nor appalled by danger. Like his predecessor, he rejected the pretended authority of the see of Rome; and, notwithstanding the pope's decree in
favour

favour of Wilfred, he would never suffer that haughty prelate to be restored to his bishopric.

Scarcely were the funeral obsequies of the deceased Alfrid ended, when an ambitious nobleman of the name of Eathwulf, taking advantage of the minority of Osred, began to raise dangerous commotions in the state, and at length usurped the throne, while the infant king and his tutor were driven for shelter to the fortrefs of Banbury, in Oxfordshire, where the usurper did not suffer them to remain long before he marched in person, and laid siege to the place; but, through want of policy, he lost the acquisition he had gained by treachery and rebellion. The deposed bishop Wilfred had found means to raise a considerable party in the kingdom, who openly espoused his cause, and used all their endeavours with Eathwulf to have him restored; but this latter positively refused to comply with their request, threatening, moreover, the destruction of the prelate and all his party, unless he instantly quitted the kingdom. By this unseasonable and obstinate severity he brought on his own fall; for the bishop's party joining with those who were in Osred's interest, a powerful conspiracy was formed, by which, in less than two months time, the usurper was driven from the throne, after having been obliged to raise the siege with precipitation: and now Osred, being reinstated in the throne of his ancestors, offered a reward for apprehending Eathwulf, who, being abandoned by all his former friends, was taken and beheaded.

Osred, when come to manhood, gave a loose to the most abandoned debauchery: he stopped at nothing to satisfy his brutal lust and sensuality: in a word, he seemed to use every method to alienate the affections of his subjects, in which he succeeded but too well; for in a short time they rebelled against him, and set up Kenred and Osric, which latter was a descendant of a bastard son of Ida, the founder of the kingdom of Northumberland; and joining them with all their forces, they defeated the king in a pitched battle, which deprived him both of his crown and life, A. D. 716, the nineteenth year of his age, and the eleventh after his first ascending the throne.

After the death of Osry the crown was bestowed on Kenred, who held it but two years. His short reign furnished no particulars worthy record. He dying, the kingdom came to Osric, whose reign likewise affords no remarkable transactions. He died after having sat on the throne eleven years, and left the succession to Ceolwulf, brother to his predecessor Kenred. This prince, who had a strong turn to devotion, after a reign of seven or eight years, assumed the monastic habit, and resigned the crown to his nephew Edgbert, a wise and brave prince, equally skilled in the arts of war and peace, an upright monarch, and a sage legislator. Soon after his accession to the throne his kingdom was invaded by the Picts and Mercians: he had also some dissensions of a domestic nature, which troubled his reign. In the year 740, we find him besieging Kenewulf Bubon, of Lindesfarne, in his own church, and leading him prisoner to Banbury. Edgbert was infected with the same ridiculous enthusiasm with several of his predecessors, whose steps he followed in abdicating his throne, to end his days in a monastery, notwithstanding the most earnest remonstrances of the

neighbouring princes, who, from the high opinion they entertained of his abilities for governing, offered to share a part of their territories with him, if he would continue to hold the reins of power. At his abdication, which was in the year 757, he resigned his crown to his son Osulf, who, in less than a year afterwards, was murdered by some of his own family.

The throne was now filled by Mollo Ethelwold, though no way related to the blood-royal; and, if we reflect upon the savage manners of those times, it will not appear improbable that this successor of the unhappy Osulf might have paved his way to the crown by mitigating the murder of his sovereign, after having secured a party in his own favour. Be that as it may, this irregular election proved the source of numberless calamities, and in the end of the subversion of the Northumbrian state. Oswin, a powerful nobleman, excited a dangerous rebellion against Ethelwold, who defeated and killed him in an engagement near Melros; but was soon after slain himself by Alchred, the son of Osred, who took possession of the crown; and after a reign of nine years, being deserted by all his nobles, was obliged to save his life by flight, and Ethelred, the son of Ethelwold, was chosen king in his stead in the year 774; but, after a short reign of five years, was expelled by Ælfold (son of Osulf, and brother to Alchred), who held the reins of government eleven years, when he was deposed and murdered by a powerful army, who had taken up arms in support of Osrid the son of Alchred, whom they seated on the throne in the year 789. This prince, however, by his weakness and inability to govern, rendered himself so contemptible to his people, that in less than two years they compelled him to abdicate a throne he was so unworthy to fill, and to retire to a monastery, where he ended his days in that obscurity for which nature seemed to have designed him. Ethelred was now recalled to fill his place; but no sooner had he reascended the throne than he began to give new proofs of his cruel and vindictive disposition. He murdered duke Eardulf; he put Oelf and Oelfwin, the sons of the late king Ælfwold, to death, and, not content with this, he embued his hands in the blood of the unhappy Osred, who had taken refuge in the Isle of Man, from whence this cruel tyrant decoyed him by the most flattering promises, and, as soon as he had him in his power, most inhumanly caused him to be murdered at Aynburg, in the year 792. With this ill-fated prince the line of Edric became extinct, and the Northumbrians were punished for their perfidy and treasons with all those miseries that are the concomitants of a disputed succession. Ethelred, however, in a short time afterwards, fell a victim to the same bloody treachery which he had exercised towards others, being killed, in the year 796, in a rebellion of his subjects at Cobre, and succeeded by one Osbald, or Oswald, a nobleman, who, being forsaken by his adherents before the expiration of a month, was obliged to betake himself to flight to save his life; and retiring into Scotland, there died in a convent. The sovereign power was now vested in Ærdulph; but his reign proved as tempestuous as those of his predecessors: his subjects frequently rose up in rebellion against him, till at length, after having held the sceptre ten years, he was glad

glad to escape out of the kingdom with his life, and take refuge in the court of Charlemagne, or Charles the Great, in the year 806.

The possession of the crown of Northumberland was now become so precarious, that no king could be found to venture on it; so that there ensued an inter-regnum of above thirty years, during which time the kingdom was a prey to continual intestine broils, and the object of contempt to all

surrounding nations. At the end of that term, namely, in the year 827, they were totally subdued by Egbert, king of the West Saxons.

And here all good authority fails us in regard to the history of this kingdom: we shall not therefore tire either the reader's patience or our own with endeavouring to reconcile different accounts of uninteresting events, but proceed in the order we have hitherto observed, which leads us to,

The Kingdom of the EAST ANGLES.

THE convenient proximity of this island had induced many adventurers to emigrate from the continent in search of lands and settlements here. Among others, a considerable number of Angles, under warlike leaders, landed about the year 527 on that part of the coast reaching from the mouth of the Humber to the Thames. On their first arrival they met with a stout resistance from the Britons, who endeavoured to oppose their settling on this island; but the Saxon chieftains, more enured to the toils of war than the then race of Britons (who, as I have taken occasion to remark in another place, had been softened and enervated by the introduction of the Roman manners), prevailed over the latter, and secured to themselves the possession of the several countries they had invaded. Of the twelve leaders who brought over the East Angles, Uffa was the survivor, who, in the year 575, took upon him the regal title, and thereby became the founder of the kingdom of the East Angles. He enjoyed his new-acquired sovereignty only three years; and, dying in 578, was succeeded by his son Tityst, of whose reign we have no particulars. He was succeeded in 599 by Redwald, the most illustrious prince of the Saxon race, whose deeds we have already taken notice of in the history of the kingdom of Northumberland; and therefore we shall pass on to his son and successor Erpwald, who was in every respect the contrast to his father's character, and rendered himself odious in the eyes of his subjects by every meanness which could disgrace a prince. During his reign, he was little better than the substitute of Edwin king of Northumberland, to whose counsels and will he submitted himself and kingdom in the most inglorious manner; and Edwin would have found no difficult task to have bereaved him of the shadow of authority he possessed, and even of the name of King, had not the dictates of gratitude prevailed over those of ambition in the mind of that monarch, and put him in mind of what he owed to the memory of Redwald, his former protector and ally. Towards the latter end of his reign, Erpwald turned Christian, by which act he incensed his subjects, who were strongly addicted to Paganism; and this, added to the many other reasons of discontent he had given them, produced a rebellion which cost him his life, being assassinated by one Rubbert, a pagan; during whose short sway of three years, the Christian religion was entirely banished from the kingdom of the East Angles. This usurper being removed from the throne by death, or otherwise, the East Angles filled it with Sigebert, son to Redwald's queen by a former husband. This Sigebert had been banished, during the life time of Redwald, by that monarch, who was jealous of his abilities and popularity. Being now recalled, he mounted

the throne in the year 636. His first attention was to restore Christianity among his subjects, in which pious endeavour he met with great success, through the assistance of one Felix, a Burgundian priest, and a Scotch or Irish monk, called Furceus. He followed the work of reformation with unwearied assiduity, and, in order to establish the holy faith in the hearts of the rising generation, he established several schools, where the gospel was publicly taught. Having thus, as he thought, secured his favourite plan on a firm foundation, he himself resigned his throne to his kinsman Egric, and embraced a monastic life, where he remained till the kingdom being attacked by Penda king of the Mercians, Sigebert, yielding to the pressing importunities of his former subjects to command their forces, quitted his retirement, and took the field against the invader; but fortune declaring against the East Angles, he, with his relation and successor, Egric, were defeated, and lost their lives, about the year 652.

Annas, a prince of the blood-royal, was now raised to the throne, whose virtues and abilities seemed to entitle him to a better fate than what he met with. The furious Penda ravaged his territories with fire and sword, out of revenge for his having given asylum to Cenwall, king of the West Saxons, and afterwards re-establishing that prince on his throne; and both sides coming to an engagement, Annas was slain, together with his eldest son, and left his throne and the conduct of the war to his brother Ethelbert.

This prince, who succeeded to the crown in the year 654, and who was naturally weak and pusillanimous, finding himself unable to cope with Penda, basely deserted the cause of his country; and, forgetting all he owed to the ties of blood and honour, made an alliance with the invader of his kingdom, and even joined him in his descent on Northumberland, where they were both killed by Oswy, king of that country, as we have shewn in its place. The throne was filled by his brother Ethelwold, the transactions of whose reign are wholly unknown. He was succeeded by Eardulph, son of Ethelbert, in 664, who, after a reign of nineteen years, left the crown to his brother Ealpwald, at whose death, which happened in the year 692, it passed to Bearn, who reigned till 714, and then left the kingdom to Ethelred, who, in 749, was succeeded by his son Ethelbert, a prince famous for his great learning and unbounded charity; whose generous soul not suffering him to suspect others of baseness or treachery, he was drawn into a snare, which had been laid for his life, by Offa, king of the Mercians, who, upon his death, joined East Anglia to the Mercian dominions

The

The Kingdom of the MERCIANS.

THIS kingdom, the seventh and most considerable of all the heptarchy, was founded, A. D. 582, by Crid, or Crida, who was a descendant from Withelga, the second son of Woden. Crida died A. D. 594, in the second year of his reign.

Upon his death Ethelbert seized upon this monarchy, to which he laid claim, as being the lineal descendant of Hengist, the first Saxon king; but, in a short time afterwards, he restored it again to Webba, the son of Crida, who, after a reign of nineteen years, bequeathed the throne to his son Penda, A. D. 614, whom Ethelbert kept from the succession by setting his cousin Cheorl on the throne, who held it for ten years; after which Penda assumed the reins of government, A. D. 624, and in the fiftieth year of his age. We have already had occasion to give the character of this prince in our account of the other kingdoms of the heptarchy. We shall, therefore, only remark, that he was a most implacable foe to Christianity, and put to death no less than five Christians, and yet, by a strange contradiction, he does not appear to have shewn the least resentment against his son Peada for embracing this religion, and even winked at his introducing a great number of Christian priests into the Mercian dominions, who openly propagated the gospel-faith.

We have already related the manner in which he lost his life in a battle against Oswy, king of the Northumbrians, A. D. 655.

His son Peada succeeded him, but to a part only of his dominions, the conqueror Oswy having over-run the rest of the Mercian kingdom, of which he kept possession till the death of Peada, who was poisoned by his wife, some say his mother, in the year 657, when he seized upon the whole.

He was, however, soon driven from his usurpation by the brave Wulpha, second son of Penda, who was a prince of excellent talents for government, had they not been impaired by a spirit of ambition and jealousy, which prompted him to frequent wars with his neighbours, in which he generally proved unsuccessful. He made the conquest of the Isle of Wight, of which he afterwards made a donation to Ealdwalch, king of the South Saxons. It should seem that he also over-run the kingdom of the East Saxons, as we find him bestowing the bishopric of London, the capital of the East Saxon kings, upon a monk called Wina. After a tempestuous and unsettled reign, he died A. D. 675, being the same year in which he fought a memorable battle with Eswin, king of the West Saxons. He left his crown to his son Kenred, who, being of a mean and dastardly disposition, suffered himself to be set aside by his uncle Ethelred, a prince possessed of great talents for war, but of a more contracted ambition than his father and brother. His first warlike enterprise was against Lothair king of Kent, whose kingdom he over-run, almost without resistance, in the year 676*. The next military achieve-

ment was against Egfrid king of Northumberland, whom he defeated in a pitched battle, which was fought in the year 679; but afterwards a peace was made between them, through the mediation of Theodore archbishop of Canterbury, in which it was stipulated that Ethelred should pay a sum of money to the Northumbrian king, in consideration of the death of his brother Eswin, who had been slain in the fight.

And now, by the joint consent of the king and the states of Mercia, that monarchy was divided into the five provinces of Worcester, Litchfield, Leicester, Lindsay or Ceadneester, and Hereford. About this time also, namely, in the year 697, his queen Ostraitha was murdered by the people of the northern part of Mercia; and the little concern Ethelred shewed to revenge her death, has given great reason to believe that it was perpetrated by his order, or at least with his privacy. A. D. 704, we find Ethelred a monk, having two years before resigned his kingdom to his nephew Kenred, from whom he had unjustly taken it, and whose meek disposition had never given him the least trouble in the possession.

Kenred then mounted the throne of the Mercian king, in the year 702, and, after reigning only four years, resigned the reins of government into the hands of his uncle Ceolred, a prince as active and enterprising as his kinsman was slothful and contemplative. The contempt he shewed for the clergy, whose rights he never suffered to stand in competition with his views of interest and glory, soon created him powerful enemies among that numerous body, who found means to take him off by poison, in the year 716, being the tenth of his reign. He maintained a long and desperate war with Ina, king of the West Saxons, in which neither side could boast of any decisive advantage.

He was succeeded by Ethelbald, grandson of Eoppa brother to Penda, whose personal accomplishments and heroic spirit, had rendered him so redoubtable to Ceolred, that this prince had banished him the kingdom during his life time. Ethelbald's first step, after coming to the crown, was to invade Northumberland, in which he acted manifestly against all the ties of honour and justice; but while he was prosecuting this iniquitous step, his own dominions were invaded by the West Saxons, under Ethelhard, whom he quickly obliged to retreat with loss into his own country. During the course of his reign he was engaged in several other wars with the neighbouring states of the heptarchy, but at last was defeated by Cuthred, king of Wessex; and, in 755, lost his life in a rebellion of his subjects, headed by one Beornred, whom the mutineers afterwards chose for their king.

The nobles of the kingdom, incensed at this insolence of the rabble, exerted all their power and influence to make head against them, which they did so effectually, that Beornred had not time to

* Smollet says 679, which date he probably took from Rapin, whose chronology, in this and many other instances, will appear little worthy to be relied on.

settle himself in his usurped dignity, when he was driven headlong from the throne, and Offa, nephew to the murdered king, was elected sovereign of Mercia. This prince, whose character is very differently drawn by different historians, seems to have sacrificed every other consideration to the thirst of glory, and the desire of aggrandising his name. The first act of his reign was the entering the territories of Ealdric, king of Kent, whom he slew with his own hand, in a battle fought near Otford upon the Darent. He next turned his arms against the Hastings, a people, concerning whom we know little more than the name, and who were supposed to be a remnant of the Britons. These he totally subdued in the year 771, after which he undertook a war against Alcuin, another of the Kentish kings, whom he also conquered and made tributary. He likewise defeated Kenewulph, king of the West Saxons, near Benington, or Benson*, and made himself master of that place. Still following the career of his successes, he marched into Northumberland, victory declaring for him where-ever he came. The rapid success of his arms, and the height of power to which he had now raised himself, could not fail of alarming all the neighbouring Saxon states, who began to tremble for their liberties; and, in order to prevent themselves, if possible, from falling a prey in their turns to the all-conquering monarch of the Mercians, they, in the year 776, applied to Charlemagne to interpose his good offices in their behalf, who exerted himself so effectually on the occasion, that Offa, who had conceived a singular esteem for a prince, whose valour and prowess so nearly resembled his own, consented to make peace with the Saxon princes, to which he was also not a little determined, through the apprehension that they might join with the Britons, who had made some inroads upon his country, in which they had met with little or no resistance from the suddenness of their coming; but Offa, being now at liberty to turn his arms against them, soon drove those invaders out of Mercia, and even wrested from them all that part of their own country between the Severn and the Wye, which he peopled with Saxons: at the same time building that famous wall of partition, which goes by the name of Offa's dyke, and extends about ninety miles from the mouth of the river Dee in Cheshire, to that of the Wye in Herefordshire.

After these exploits he took his son Egfrid to share with him in the government, and married his daughter Ethburga to Brithric, king of the West Saxons; and the Danes having made a descent upon his coasts, he repulsed them with great slaughter: so that now his reputation was raised to a higher pitch than that of any sovereign who

had ruled over the Saxon heptarchy. But the murder of Ethelbert, king of the East Angles, whom he had inveigled into his power by the flattering promises of an alliance with his daughter, cast a shade over all his glories, and stamped his memory with perpetual ignominy. Whatever arts he used to cloak this heinous breach of all laws, divine and human, from the eyes of mankind, posterity have but too strong a proof of the reality of the fact, by his taking possession of the territories of the murdered prince immediately upon his death, and uniting them to his own domains. This happened in the year 792.

And now, struck with a pretended remorse for the crime he had committed, or, rather infected with the ridiculous enthusiasm of those times, he undertook a journey to Rome, in order to settle accounts of conscience with the pope Adrian I. and receive in person, a discharge in form of indulgence from that pontiff, who readily struck the bargain with him, on condition he should remit three hundred and sixty-five Mancuses† a year, to Rome, for relief of the poor, and maintaining the lights on St. Peter's altar, which, together with other liberalities to monasteries and churches, he in the most humble manner vowed to perform. But of the sincerity of his contrition, we need no stronger proof than his continuing to retain the kingdom he had so unjustly wrested from its lawful possessor. He also converted the alms originally intended for the support of English students at Rome, into an annual tax, which from its being paid on the feast of St. Peter and Vincula, (which falls on the first day of August) had the name of Peter's pence‡; and, to the eternal infamy of this nation, was levied by the pope's agents, in nature of a tribute, for upwards of seven hundred years, until it was totally abolished, together with the papal supremacy in these realms, by Henry VIII.

Offa, having finished his farce of absolution and reconciliation, left Rome, and returned home, bringing with him a bull, wherein pope Adrian confirmed whatever privileges and donations he should think fit to grant, with the advice of his council and clergy, to a new monastery, which he had made a vow to found on his safe return to his dominions, in honour of St. Alban, whose canonization he had obtained at Rome, at the town of Verulam, where that bishop's body had been found, and which, from the magnificent church and monastery, built by Offa to his memory, took the name of St. Alban's, which it has ever since retained.

He just lived to finish this monument of his pride and hypocrisy, and died, after a reign of thirty-nine years, at Offa, A. D. 796.

Offa was succeeded by Egfrid, his son and co-

* A town in Oxfordshire.

† A Mancuse was in value thirty Saxon pence, or about seven shillings and sixpence of our present money.

‡ It consisted of a penny, to be collected yearly, of every family within his dominions, where the lands they were possessed of, not including tenements, amounted to the sum of thirty pence yearly rent. It was collected by the bishops, and by them paid to the pope's agents, who remitted it to Rome. This bounty, so disgraceful and terrible in its consequences, was collected in no less than twenty-three counties, of which I shall here give the names, as they will serve to shew the reader the extent of Offa's dominions.

In the counties of Worcester and Gloucester, belonging to the see of Worcester.

In Warwickshire, Cheshire, Staffordshire, Shropshire, and Derbyshire, then belonging to the bishopric of Litchfield.

In Leicester, being under the jurisdiction called Legrecastria.

In Lincolnshire, where the episcopal see was at Lindsey.

In the counties of Northampton, Oxford, Buckingham, Bedford, Huntingdon, Cambridge, and half Hertfordshire, all within the diocese of Dorchester in Oxfordshire.

In the counties of Essex, Middlesex, and half Hertfordshire, belonging to the see of London.

In Norfolk and Suffolk, in which were two bishops' sees, one at Helman, the other at Dulwich. Offa was likewise king in Nottinghamshire; but the spiritualities belonged to the archbishop of York.

partner in rule; but this prince did not enjoy the dignity of sole monarch of the Mercians longer than four months, when he was succeeded by Kenulph, a prince of the Mercian blood-royal, and inheritor of all the virtues and all the ambition of their family: he made his people happy in peace by a mild and just administration, and redoubtable in war by his consummate knowledge in the military arts. The first act of his reign was to lead a powerful army into Kent, having taking offence at the proceedings of Egbert, surnamed Pren, whom historians represent to us as having usurped the throne of that country. On this occasion, he exhibited a conduct very little consistent with the character we have above given him from William of Malmesbury; for having vanquished Egbert in a pitched battle, and made himself master of his person, he most inhumanly ordered the eyes of his royal captive to be put out, loaded him with chains, and in that condition carried him with him in triumph into Mercia; and, to complete the scene of cruelty and tyranny, annexed his kingdom to his own, having first placed another on the throne with the specious title of King, but who was in fact, only viceroy, or substitute under the conqueror. The above-cited author, who seems particularly to favour this king of the Mercians, is at great pains to extol his clemency and goodness in afterwards setting Egbert at liberty, whom he represents to us as the first aggressor, having, from the humble state of a private monk, raised himself by underhand machinations and cabals to the throne of Kent, by taking advantage of the distractions of that kingdom on the extinction of the royal line in the person of Ethelbert, son of Withred A. D. 794; and that, immediately on his assuming the sovereign power, he had made inroads upon the Mercian dominions, by which rash and inconsiderate act he had called down the vengeance of Kenulph upon his head. Be that as it may, the distance of those times will not permit us to enquire minutely into the truth of historical assertions on either side; and we have nothing to direct our

judgment but the comparing of facts with characters, and weighing them in the scale of morality and justice. Kenulf, after a reign of twenty-four years, was slain in an insurrection of the East Angles, A. D. 819, leaving his son Kenelm, an infant of seven years of age, to succeed him under the tuition of his sister Quendrida, who, suffering her ambition to get the better of what she owed to the ties of blood and duty, procured the murder of her younger brother: but it is certain that this unnatural sister did not long enjoy the fruits of her wicked ambition, being deposed by Ceolwulf, brother to Kenulf, and uncle to the late king, whose reign, however, was but of a year's duration, being driven from the throne by a powerful nobleman, named Beornulph, who reigned two years, and in 823 was defeated and slain in a great battle by Egbert king of the East Angles, whose dominions he had invaded. Ludican succeeded him on the throne, but proved also unfortunate, and underwent the same fate in the same space of time; after which Wiglaft mounted the throne, but was defeated two years afterwards by Egbert.

And here we shall close the history of the heptarchy, which, like a stupendous building unartfully raised, grew too heavy for itself. The different parts of which it consisted, for want of a proper cement, had separated from each other, so as to form dangerous chasms, or had insensibly mouldered into ruin. The edifice had given strong tokens of its approaching dissolution long before it fell; but even after that fall, there remained some valuable materials, which only wanted the hand of a skilful architect to be again erected into a new structure more noble and durable than the former. This desirable end was brought about by Egbert king of the West Saxons, who, after having vanquished the successor of Ludican, subdued the whole kingdom of Mercia, and six years afterwards, namely, in 829, united it, together with the other kingdoms of the heptarchy under his dominion, by the general name of ENGLAND.

ERRATA. P. 46, col. 2, l. 12, read *bishop of Canterbury*. Ibid. 7th line from the bottom, read *bishop of Lindisfarne*. Ibid. col. 2, l. 14, for *mitigating*, read *insligating*

Of the Customs, Government, Manners, and Religion of the SAXONS, from their first entering BRITAIN, to the Dissolution of the HEPTARCHY.

PREVIOUS to our entering upon the history of the conversion of the Saxons to Christianity, it will be necessary to give the reader some account of their civil polity, religion, and customs, before they received the inestimable blessing of the gospel, through the labours of St. Augustin and his brethren in the mission. The prevailing form of government among our Saxon ancestors, partook more of an aristocratical than a monarchical form. The most successful and renowned in war were with them considered as the first in rank, and such who were most eminent in council held the highest degree of authority. Though the body of the people were consulted upon some affairs, yet the nobility had still the cognizance, *en dernier ressort*, of those matters that came before the commons. They had stated places

and times for holding their public meetings, to which they usually came armed, where silence was commanded by a priest, who seems to have had great authority on those occasions, insomuch that it was looked upon as a capital crime to interrupt that attention he required. Every one being assembled, some distinguished person arose and opened the cause of their meeting, when those present signified their approbation by striking their javelins against each other, or their dislike by a loud and tumultuous noise. The business of these assemblies was to chuse chieftains to preside over their several divisions, shires, villages, &c. each of which chief was assisted in his office by an accessor or fidesman, and hence, as Brady in his history of England justly observes, came our hundred courts, in which the hundredarius sat as judge, assisted by

by the principal men of the county as his assessors or jurors*. The leader or petty sovereign of these portions of territory was held in high respect by his inferiors. He had the distribution of all honours and rewards, and his favour was industriously sought after by all the officers of his jurisdiction.

We have already observed, that they generally held their public consultations in armour; but, nevertheless, no one was entitled to the privilege of wearing armour, and consequently of holding a seat in those assemblies, but such as had been approved by a council, and formally invested with these ensigns of distinction by one of the principal men, or the person next in kindred to him. In this ceremony we easily discover the origin of knighthood.

The husband, among the Saxons, saith Tacitus, settled a dowry upon the wife, and not the wife upon the husband; and when the wife proved false to the marriage-bed, he was at liberty to cut off her hair, strip her naked, turn her out of doors in the face of all her relations, and then have her whipped through the town: but this severe custom was in course of time considerably mitigated.

The children succeeded to the inheritance of their fathers without will; but, after their settlement in Britain, they altered their constitution, and bocland, or free tenure, grantable by deed, was deemed alienable by will; but in lands held by feofage, all the sons inherited alike.

The next institution I shall take notice of, was of a nature equally fatal and impolitic, but what was common to all nations of the Celtic or Scythian original; namely, that of encouraging paternal and family feuds as well as friendships; and the crime of murder was punished by a fine of cattle, to be distributed among the relations of the deceased.

The last institution regards the right which the lord of the glebe had to prescribe to his tenant the quantity and number of corn, cattle, or cloaths, which he was to pay as rent, in which we have the original of taking rents in kind, a custom which still prevails in Scotland.

The Saxons were divided into three classes, the nobles, the freemen, and the slaves, with a prohibition from contracting alliances out of their respective class. This custom continued in England so late as the passing the Magna Charta and charter of Merton, and so jealous was the legislature of any infringement of this ordinance, that the lord was to lose the benefit of his wardship, who married his ward to his disparagement, on complaint being made by any of the kindred.

With respect to religion they seem to have given into the same superstitions with other nations. They practised divinations, by lots, in a peculiar manner†, in which the priest had the direction in public matters, and the master of the family in those of a private nature. They likewise drew presages from the singing and flight of birds. An-

other method of divination in use amongst them, and that on which they laid the greatest stress, was by obliging the captive of a nation with which they were at war to fight after the manner of his own country, against a champion of theirs, and from the event of the combat they prognosticated the fate of the war. They also drew presages from the neighing of horses, which they considered as particular favourites of the gods, especially those of a white colour; these were fed in woods and groves, at the public expence. In this superstition they seem to have resembled the antient Persians and Romans.

Their idols, of which they had a great number, and variety, all bore a strong affinity to those of other heathen nations. Their Woden was the same with Mercury; to him they offered human sacrifices, and dedicated the fourth day of the week, or our Wednesday. Venus they adored under the name of Freja; and Tuysco, whom they believed to be the founder of their nation, gave his name to the third day of the week, called by us Tuesday. They had a goddess whom they called Eoster, and who presided over the month of April, and from whom the festival of Easter, which generally falls in that month, had probably its name. But the peculiar patroness of our Anglo-Saxon ancestors, was the goddess Hertha, or Herthus, as Tacitus calls her, by whom they meant Mother Earth, who was believed by them to interfere in all human affairs. Her residence was in a vehicle, covered with a sacred vestment, and placed in a consecrated grove in a certain island on the ocean. This moving temple was carried or drawn by cows, and attended by a priest, who alone was allowed to touch the sacred vestment. Whenever this goddess made her visitation, joy and gladness filled every place through which she passed. War ceased, animosities were forgotten, the captive was set at liberty, and a general tranquillity took possession of all minds. When she retired from the converse of mortals to her temple, or grove, the vehicle and vestment were purified in a sacred lake.

For those who are desirous of a more full account of these matters, we refer them to Verstegan and Adam Bremensis, especially the former, who gives a minute detail of every circumstance relating thereto.

The Saxons, by their original constitution, had no kings, in the modern acceptation of the word; for all supreme authority among them ended with the cause that gave it birth. After their settlement here, reasons of a political nature, and which have appeared in the foregoing account of the heptarchy, induced them to invest their chieftains with the regal authority and title; but the rights arising by conquest were equal, consequently the liberty of the people could suffer no alteration in its nature from the encreasing dignity of its chief or head.

I shall now proceed to give a short account of the laws, manners, and customs of the Saxons.

* There are yet in some parts of Germany, courts criminal which are called Zent-gerecht, or hundred-right, or court; and those who sit as president in them, Zent-groffer, or Zent-graven, i. e. judge of the hundred.

† This was done by slips of wood, cut from some fruitless tree, and distinguished by marks or notches; these they

shook promiscuously together in a white cloth; then the priest, or father of the family, implored the assistance of the gods in a short extempore prayer; after which, raising his eyes up to heaven, he took up a slip three times successively, and declared the omen to be good or evil according to the mark that chanced to cast up.

*St. Austin preaching to H. Ethelbert & L. Bertha,
in the Isle of Thanet.*



*To his Grace
Duke of
This State is*



*William Fitzroy
& Cleveland,
humbly Inscribed.*

They held it no disgrace for a man to spend both day and night in drinking. This practice naturally begot frequent quarrels, which were seldom ended without bloodshed, and often death. In the midst of their carousings, they would treat of the most important affairs both of peace and war, from a belief that the heart was on those occasions more free and open, and better fitted for dealing plainly, and acting fervently and nobly. Malt-liquor was their natural and favourite drink, as it still is with the commonalty of their posterity the English: their food was plain and simple, and they were famous for their wanton feats of arms and dexterity, which we see still preserved in the custom of boxing, so peculiar to this nation. Their excessive eagerness for games of chance passed almost into a proverb; and to such excess did they run in this particular, that the loser patiently submitted to become the slave of his more fortunate antagonist; and the slaves thus gained by gaming were generally exchanged in traffic, like any other part of the goods or property of the owner. But the most striking affinity between the present English and their Saxon ancestors, seems to be in those sudden fits of passion to which they are subject, and the gentleness and humanity with which they treat their inferiors when those sallies are over. In their funerals they were remarkably

modest: they had no pompous rites, no gaudy monuments; the fame of the good or evil, great or ignoble deeds of the deceased being the only inscriptions they were acquainted with. They were probably ignorant of arts and sciences, and in general knew no more of husbandry than what was barely sufficient to raise corn. Their capital punishments were hanging or drowning, which answers to the pit and gallows so often mentioned in our old laws and charters. Lesser offences were acquittable by fines to be paid in horses or cattle, part of which belonged to the public, or some great man; a custom of which there are evident traces to be found in the English laws.

As to their famous ghemots, those assemblies from which our parliaments took their rise, and the several rights and dignities which composed them, the knowledge we have of them at this period is too faint to be relied on; and besides, they will enter with more propriety into the view we shall take of the Anglo-Saxon government in Britain in its full maturity, as we have hitherto done in its infancy.

I shall here close the account of our Saxon ancestors before their conversion to Christianity, and now proceed to shew the manner in which the faith was first introduced among them in the reign of Ethelbert king of Kent.

State of Religion among the SAXONS, from the Year 597, to the Reign of EGBERT, the First of the ENGLISH Kings.

ST. Gregory, having succeeded Pelagius in the papal chair, ordered a monk, called Augustin, and others of his brotherhood, to undertake a voyage to Britain, A. D. 596, to convert the Saxons to the Christian faith. The good fathers readily obeyed; but the many difficulties they had to encounter in their journey, and the apprehensions they conceived from the known ferocity of the people among whom they were going as missionaries, so damped the ardour of their zeal, that they dispatched Augustin back to beseech the pope that he would excuse them from the business he had sent them upon, and to which they had too hastily given their consent. But Gregory, who was not a man to be so easily diverted from his purpose, sent back Augustin with a letter of exhortation and encouragement, which as it carries with it all the marks of being genuine, and serves to shew the character of that pontiff, and how much he had at heart this work of conversion, we shall give it our readers as it is to be found in the venerable Bede, lib. i. cap. 23.

“Gregory, the servant of the servants of God, sends to them greeting:

“Inasmuch as it is better not to enter upon a good work than afterwards to recede from it, therefore, my most dearly beloved sons, it behoveth you to exert yourselves with the utmost zeal in fulfilling the righteous undertaking in which, through the divine assistance, you are now engaged. Be ye therefore neither discouraged by the difficulty of the work, nor the speeches of

wicked men; but, by the help of God, go thro’ with all fervour and zeal, that work which you have entered upon; knowing the greater your difficulties are in this undertaking, the greater will be your degree of glory hereafter. In all things humbly obey your director Augustin, whom we now send back to you with this our apostolical greeting, and whom we have constituted your abbot, well knowing that whatsoever ye shall execute through his advice, will in all things turn out to the profit of your souls.

“May the Almighty God have you in his fatherly protection, and grant that in his eternal kingdom I may behold the effects of your labours, albeit I may not accompany you in them. May God keep you in all safety, my dearly beloved sons. Given this 21st day of July, in the fourth year of our most pious lord and emperor Martius Tiberius, and in the thirteenth year after the consulate of our said Lord, &c.”

Together with this letter Gregory furnished them with strong recommendations to Æthereus bishop of Arles, requesting him to furnish them with all such helps as they might stand in need of in the course of their journey.

Augustin and his fellow-labourers, upon their first landing in England, sent a person as an interpreter to the Kentish king Ethelbert, declaring themselves come from Rome with offers of eternal salvation. Bertha, the consort of Ethelbert, who had been a convert of the pious prelate Luidhard, had inspired her husband with so venerable an idea of the Christian religion, that he immediately ordered

dered the missionaries to be furnished with all necessities, and went in person to visit them in the Isle of Thanet, and soon after openly espoused the Christian faith; and Augustin, who had received episcopal ordination from the primate of Arles, erected Christ-church into a cathedral, opened a seminary for learning, and founded the abbey of St. Augustin.

But no sooner had this monk converted king Ethelbert, and acquired an influence with that monarch, than he began to take upon him the pompous character of Apostle of the English nation. He sent Laurentius, together with a monk named Peter, to pope Gregory, with an account of his success in his mission, and to propose certain queries relating to the behaviour of the bishops and clergy, in which he required the pope's direction and advice*. Gregory, having considered the questions and replied thereto, sent over Melitus, Paulus Justus, Meleminus, and Rufinianus, to assist him in the work of conversion; by them he also sent a large quantity of church-plate, with directions concerning erecting sees among the Saxons, and a pall† for Augustin. These additional missionaries were ordered by Gregory to recommend to Augustin humility in his behaviour, and that he should not immediately proceed to extremities, by pulling down the Pagan temples, but content himself with destroying the idols and purifying the places of their worship, by the sprinkling of holy water: "for," saith that wise and politic pontiff, "if the temples be well built, it is sufficient to alter the worship to which they have been appropriated, and to convert them into decent dwellings for the God of truth; and, by thus indulging the Pagans in the satisfaction of their senses, they will be more easily wrought upon to embrace the new religion." He likewise recommended to him the instituting of anniversary festivals of saints, and other public religious ceremonies, on which the people were to be allowed to build booths around the places of worship, and to indulge themselves in merriment and good cheer, provided the same was restricted within the bounds of moderation. This indulgence was extremely well judged in regard to the English, who were naturally fond of every thing that wore the face of festivity, or merry-making, and who would have been shocked at a too sudden proposal of fasting or mortification.

Ethelbert was now become so zealous a convert, that he bequeathed his own palace at Canterbury to Augustin for his own use, and retired to Reculver‡, in order to leave the apostle more at ease. But, notwithstanding all these marks of royal indulgence, that haughty prelate could not be contented till he had gained the supremacy over all the rest of the British clergy. With this view he used every art to soothe their bishops into a conformity with the Roman church; and, by dint of persuasion, prevailed over them to meet him at a conference, which he appointed at a place called St. Augustin's see in Worcester-shire. Previous to this meeting, in order to prepossess the British

clergy with a notion of his sanctity, he had recourse to the paltry shift of miracle-working; and having procured a mercenary wretch who pretended to be born blind, in the presence of a numerous crowd of spectators, he restored him to sight. But this trick was too gross to impose upon the Britons, even in those days of darkness and ignorance; they called for more substantial proofs, and exacted that the man who aspired to the sovereign authority in spiritual affairs, should bring more authentic testimonies of a divine mission; and before they repaired to the meeting, consulted a venerable hermit on the marks by which they might distinguish if this pretended apostle was really of God, or only assumed a merit of his own invention. "If he is really of God," replied the hermit, "he will behave with meekness and lowliness of spirit; he will be the first to rise and salute you, and will arrogate nothing to himself but in common with the other followers of Christ." Possessed of this criterion, they repair to the assembly, when lo! the apostle receives them with all that supercilious haughtiness, which unhappily his successors in the ministry have but too closely copied. He peremptorily insisted on their observing the feast of Easter, and conforming in every other act of church-office to the manners of the Roman see. The British clergy, however, little edified by his behaviour, and still less convinced by his arguments, answered him, that they knew of no other obedience due to the bishop of Rome, than that which one Christian owes to another in meekness and charity; adding, that in point of supremacy, they acknowledged no other than the bishop of Caerleon. The haughty Augustin, nettled at this noble and spirited reply, threatened them with the most exemplary punishment, unless they conformed to the plan he laid down for their conduct in spiritual matters; which threats he carried but too fully into execution, by stirring up the king of Northumberland to harass their country and destroy their seminary.

He did not, however, long survive this exertion of his power; for he died in 604, after having consecrated Melitus and Justus, and was succeeded in the see of Canterbury by Laurentius, his coadjutor and successor in zeal as well as ecclesiastical dignity. The affair of the observance of Easter, was pushed by him with the same inconsiderate and unchristian heat, as it had been by his predecessor; and he actually sent Melitus to Rome to consult with pope Boniface, the successor of Gregory, about the most proper measures to be taken to enforce a general obedience. Melitus returned, after a short stay, with a copy of the acts of a synod, at which he had assisted, together with several letters from the pontiff, filled with artful persuasions and flattering promises to the chief persons in church and state and the body of the people.

But here an unexpected event happened, which for a while seemed to threaten these ecclesiastical machinations with a total overthrow. Ethelbert

* These queries, with their answers, are to be found in Bede's History of the Church.

† The pall, according to Harpsfield, (*Hist. Eccl. Angl.* c. vi. p. 58) is a small piece of woollen cloth, about four fingers-breadth, without any dye, and just of the same colour as when taken from the sheep: it is laid upon St. Peter's tomb by the bishops of Rome, and then sent to the metropolitan,

who wears it over his shoulders when he officiates. It is in the form of a Y, the lower end of which falls down upon the breast, and the two upper ends are thrown over the shoulders. On each of these ends is a red cross. This pall makes a part of the armorial bearings of the see of Canterbury.

‡ Now a small village near Margate in Kent.

dying about 616, was succeeded by his son Eadbald, who, on his accession, threw off the Christian faith, and, together with the three princes of the East Saxons, returned to his original idolatry; upon which Laurentius thought it high time to quit this island, and actually prepared for his departure; but, as his last resource, put the following stratagem (almost too ludicrous for history) in practice, which however succeeded to his wish. He pretended that St. Peter had appeared to him in a vision, and after having severely reprimanded him for his intention of abandoning the flock committed to his charge, had scourged him severely, and produced the marks, yet fresh and bleeding, to the good king Eadbald, who became the dupe of this religious mummery, and instantly returned to the bosom of the church, and the desired submission to episcopal authority.

Laurentius dying in 618, was succeeded as metropolitan by Melitus, a person of noble extraction and exemplary piety, who, after enjoying the archiepiscopal dignity for six years, was succeeded in 624, by Justus, bishop of Rochester, to whom pope Boniface V. gave an authority to consecrate bishops.

About this time Paulinus converted the king of Northumberland and his court. This prelate likewise met with great success among the Mercians, great numbers of whom he baptised in the river Trent, being assisted in this pious office by one James, a deacon, a man eminent for his learning and upright life.

A. D. 634, the West Saxons were converted to Christianity by Berinus, whom pope Honorius, in reward for his labours, invested with an episcopal character as bishop of York.

Wilfred, bishop of York, effected the conversion of the South Saxons about the year 686. Their king Adelwalch had already embraced the faith from motives of interest; and a lucky incident gave Wilfred an opportunity of improving the king's zeal to the general conversion of his subjects. The people of Suffex, though inhabitants of a sea-coast, were totally ignorant how to make advantage of their situation. A scarcity of grain happening, Wilfred shewed them the way of catching fish in the sea by nets, and by marks of superior merit, impressed an high idea of his abilities on the minds of this ignorant people, who readily embraced the faith he proposed to them.

Having thus given a short sketch of the original conversions of the several kingdoms of the heptarchy, I shall now proceed to lay before my readers a concise chronological account of the history of the Saxon church, in which I shall avoid that unentertaining precision and minute detail, which however it may fall in with the taste of a particular set of readers, is far from being pleasing to the generality, who prefer amusement, blended with instruction, to those elaborate compilations or learned quotations with which our former historians abound.

The archbishops of Canterbury, in virtue of the pretended rights with which they had been invested by the see of Rome, aimed at making not only the Saxons, but the Scots and Britons also, dependent on their authority. A. D. 673, a synod

was held at Hereford or Harford, in which Theodore, a Greek, then archbishop of Canterbury, produced the book of canons, and pointed out several particulars which he insisted to have diligently observed by the synods. The principal of these was their keeping Easter on the Sunday next after the fourteenth day of the moon, in the first month*. This was a stroke levelled at the Britons and Scots, who still kept their Easter by a different rule to that which St. Augustin had introduced from Rome; but what this rule was, or how they came by it, we know not. Two British bishops from Icolmkill, the seminary of their clergy, had prevailed with the Northumbrians to follow their rule; but Oswy, king of Northumberland, had so great a regard for the church of Rome, that in 666, he ordered a conference to be held on this important subject at Whitby in Yorkshire, wherein Colman, a Scotch priest, spoke on the one side, and Wilfred, then an abbot, undertook to defend the other. This conference terminated in favour of the Romanists; and Colman and the Scotch party, on being worsted, resigned their dignities, and retired into Scotland.

Another important point discussed in this synod was the priestly tonsure, which those of the church of Rome insisted should be done in such a manner as to represent the crown of thorns worn by our Saviour, in opposition to the manner of the Britons, who shaved the whole head.

About this time Sebba, king of the East Angles, putting himself into the hands of Walder, bishop of London, became a monk; and during his retirement he expended large sums of money (which he had purposely taken with him at his resignation) in pious uses. In his last illness he shewed a spirit of decency and delicacy superior to the manners of that age. Being fearful that he might in the agonies of death betray some indecency in posture or expression, he desired that none but the bishop of London and two of his own domestics might be with him in his last moments, to close his eyes. This precaution however proved unnecessary, for he expired without a groan or the least convulsion.

A. D. 677, Leutherius, bishop of the West Saxons, dying, Theodore consecrated Heddi in his stead, during whose prelacy happened the great revolution in that kingdom under Ceadwalla.

About this period also Putta, bishop of Rochester, quitted his see, and fled for protection to Segwulf, bishop of Mercia, on the invasion of Kent by Ethelbert the Mercian king. Segwulf received the reverend fugitive with great kindness, and gave him a church and a small field for his maintenance, where he ended his days comfortably.

The order of time now brings us to the year 678, when Egfrid swayed the Northumbrian sceptre, between whom and Wilfred, archbishop of York, there arose a difference which was prosecuted with all that heat and virulence, which usually accompanies ecclesiastical disputes, and in which we have the first example of the encroachment of pontifical pride over royal authority. As this controversy was productive of great effects, and is in itself both interesting and amusing, I shall be more particular in my relation of it.

A fanatical delicacy in Egfrid's first queen, had

* Primum Capitulum, ut sanctum diem in commune omnes servemus, Dominica post decimam quartam lunam primi mensis.

put her upon denying her husband the rites of the marriage bed. The king, sensible that Wilfred had a great influence over the mind of his consort, whom he loved with a warm affection, applied to that prelate to use his endeavours to argue her into a more compliable disposition. Wilfred, on the contrary, rather strengthened her in her first scruples, insomuch that, instead of answering the king's expectations, she even solicited him to follow her example, at the same time pressing him in the strongest terms to suffer her to retire into a monastery.

Egfrid, justly incensed at this treacherous behaviour and disobedience of the prelate, whom he had honoured with his confidence in so delicate a point, and resolved to dispute the heart of his wife with the monks, forbade her entertaining any farther thoughts of depriving him of her society by so rash a step, at the same time using every art he could devise to awake in her a proper sense of her duty, and win her back to his embraces: but all proved vain; for the infatuated princess, mistaking these proofs of conjugal affection for persecution, fled out of her husband's power to Ely.

Such a conduct opened the eyes of Egfrid, and cured that monarch of his fondness; and he soon after married again. And now, thinking he had just reasons to fear for his own authority and safety while a subject lived under him so ambitious and powerful as Wilfred, he determined to secure his own peace and sovereignty by crushing this formidable priest, and began to put his intentions in practice by seizing certain revenues belonging to St. Peter's church at York. This step ended in an open rupture between him and Wilfred, whose haughty temper could by no means brook such an invasion of the ecclesiastical rights; and his behaviour on this occasion furnished Egfrid with sufficient cause of complaint against him. The king, therefore, applies to Theodore archbishop of Canterbury, who at his request erected several sees in the diocese of York without the consent of the bishop. Wilfred exclaimed bitterly against Theodore and the king, and asserted his right to the revenues, which had been appropriated to the maintenance of new made prelates. The king, on his side, insisted on the legality of his proceedings, and Wilfred appealed to the decision of the papal see*. He even took a journey in person to Rome, where he presented a servile petition to the pope and council assembled for that purpose. Agatho, who was pontiff at that time, was so pleased with this first instance of an appeal to Rome, and the deference expressed to that see in the petition, that he, with the advice of the council, granted a decree for reinstating Wilfred in his rights, and denouncing excommunication against all who should oppose him therein.

The power of the Roman pontiff, however, seems to have been very little noticed at Egfrid's court; for upon Wilfred's return to England, and his presenting to that monarch the decrees of the synod, under the hands and seals of the members, Egfrid called a council of his nobles and clergy to consider of the contents, who expressed the highest

indignation at the papal claims of authority, asserted there independence on the see of Rome, and concluded with ordering Wilfred to be taken into custody, and committed to close confinement, for having dared to appeal to a foreign power against the decrees of his natural sovereign and liege lord.

Wilfred had been near a year in prison, when Egfrid and his queen Hermenburga coming to the monastery of Coldingham, Æbba, that prince's aunt, who was abbess, prevailed on her royal nephew to set the prelate at liberty, on condition that he should immediately quit the Northumbrian territories. Wilfred, upon his enlargement, retired to Mercia, from whence he was soon driven by Ethelred, who dreaded the displeasure of the Northumbrian monarch, in case he should give an asylum to that factious subject. The prelate was now obliged to fly for shelter into the dominions of Centwin, king, of the West Saxons; by Centwin's queen being sister to Hermenburga, that princess used her interest so effectually at the Saxon court, that he was soon obliged to quit the country, and went and took up his habitation among the South Saxons, where he acquired great influence and power.

Having lived there for some time as bishop, and in great splendor, he was invited by Theodore archbishop of Canterbury to a conference, which being accepted, matters were compromised between the two bishops; and if we may believe Eddius, a great favourer and panegyrist of Wilfred, Theodore promised to make him his successor in the see of Canterbury. It is certain, however, that the latter wrote in his favour to Alfrid, Egfrid's successor, and to Ethelred king of the Mercians. These letters had the desired effect with both the princes to whom they were addressed. Alfrid, in particular, not only recalled Wilfred, and reinstated him in his see of York, but also put him in possession of the monastery of Rippon, as some equivalent for the dismembering of his see.

Not contented with this indulgence, he insisted upon Hexham's being reunited to his diocese, and the full restitution of all the revenues that had been secularized by the king. These insolent demands embroiled him anew with Alfrid, who drove him once more from his church, when he had again recourse to the protection of Ethelred king of the Mercians, who gave him the administration of the see of Lichcester, or Leicester; Segwulf, the Mercian bishop, being lately dead.

About this time, namely, A. D. 690, died Theodore archbishop of Canterbury, in the eighty-eighth year of his age; a prelate to whom the English church had great obligations on account of his nobly refusing to comply with the decision of the Romish synod in the case of Wilfred, and the other steps he took against the papal see; on whom, and its creatures, he appears on all occasions to have maintained an essential independency.

During his stay in the Mercian dominions, Wilfred was summoned, in 701, by Berckwald, the successor of Theodore, to a council at Oenestresfield †, where he was charged with several crimes,

* Previous to this step he went to court, and with an unparalleled arrogance in a person of his character, and a subject, demanded of the king and the archbishop, "How they dared, like a couple of robbers, (*prædonum more*) to despoil

him of the estates given by former princes to the church, without his having been guilty of any misdemeanors?" *Eddius in Vita Wilfredi*

† This council consisted of almost all the English bishops. importing

importing no less than degradation. But this turbulent prelate appealed from the sentence to Rome, and that in such arrogant terms as were so highly resented by the English synod, that they disseized him of all his effects both in Northumbria and Mercia; but, not to appear too rancorous in their resentment, they mitigated some part of the punishment, by leaving him the abbey of Rippon, with its revenues; but, on his making a second appeal to Rome, this was considered as a fresh aggravation of his crimes, and he was excommunicated.

And now, though seventy years of age, he undertook another journey to Rome. John VI. was then pope, and sufficiently disposed to justify the conduct of his predecessors. This Wilfred well knew, and accordingly had no small reliance on the favour of that pontiff, whom he doubted not he should engage to intercede in his behalf with the kings of Mercia and Northumberland. On the other side, the archbishop of Canterbury sent agents to Rome to vindicate his conduct, who were ordered to charge, as a capital crime against Wilfred, his refusing to obey the determination of an English synod convened under a metropolitan.

After several sittings of the Romish synod Wilfred was again fully acquitted, and sent back with letters of recommendation to Alfrid and Ethelred; the latter of whom paid some regard to the papal credentials; but Alfrid had too much wisdom, steadiness, and resolution, to leave Wilfred any hopes of prevailing on him to change his measures. But this prince being succeeded by Eathwulph, Wilfred thought proper to apply to him, in confidence of a former friendship that had subsisted between them; but herein he found himself mistaken; for Eathwulph, so far from listening to his proposals, banished him out of his dominions: but Eathwulph's reign was short; for he was deposed in about two months, and Ofred, a boy eight years old, was proclaimed king of Northumberland; and Wilfred now found himself in as high favour with Brechrid, the chief minister, as he had been detested by the former king.

Berchwald, archbishop of Canterbury, being wearied out with this long contest, and intimidated, as Eddius say*, by the menaces of the pope, thought proper to accommodate matters with a man whose haughty and inflexible spirit he could never hope to subdue. With this view, he made overtures of reconciliation to Wilfred, convoked a council near the river Nid†, A. D. 704, wherein it was agreed, after a stout resistance on the part of the English bishops, that Wilfred should be restored to the see of Hexham‡, together with the abbey of Rippon, with all their revenues and profits; in the full enjoyments of which he conti-

nued till his death, which happened four years afterwards, namely, A. D. 708, at his monastery of Oundel||.

And here I shall close my account of this interesting period in the English church with the observation of Carte in his history of England. "Such, saith he, was the issue of the first attempt made to subject the *English churches* to the Roman judicature, set on foot by a man of the greatest parts, character, and popularity, of any in the age wherein he lived, who employed them all in the most artful manner to propagate the principles he had imbibed, and the prejudices he had contracted in his Roman education; but in which he must have sunk finally, had it not been for some unforeseen accidents, and the troubles which an uncertain and disputed succession had raised among the Northumbrians; and which, disposing every body to put an end to all other occasions of embroiling a nation, opened a way for that compromise, which saved him and his followers from ruin§."

From the council of Nid, however, the papal authority began to gain ground daily in the British church; several monks wrote openly in favour of the Romish tenets, of their manner of celebrating Easter, and performing the ecclesiastical tonsure.

A. D. 710, a synod was held at Alne¶ by the desire of Egwin bishop of Worcester, who is said to have been the first who introduced image-worship into England in the year 712**.

About this time church-music began to be improved in England. Acca, the successor of Wilfred, is particularly mentioned by Bede as being eminent in this respect.

The next ecclesiastical transaction of moment is the famous charter of Ina in favour of the monks of Glastonbury, signed by himself, his queen Ethelburga, by Berchwald archbishop of Canterbury, and by the bishops of Winchester and Sherborne. By this charter, made in the year 725, those monks are exempted from all episcopal jurisdiction. It was afterwards confirmed by the pope; but notwithstanding the many evidences brought in its favour, and the great use made of it by the see of Rome, its authenticity is very justly suspected, and no less learnedly confuted by bishop Stillingfleet in his *Antiquities*, to which we refer the curious reader.

A. D. 731, died Berchwald archbishop of Canterbury, after having enjoyed that dignity thirty-seven years and an half, and was succeeded by Tatwin, a Mercian monk; and about this period ends the ecclesiastical history of the venerable Bede, a most useful and learned historian††,

Tatwin died in 736, and was succeeded in his

* Ed. in vit. Wilf. cap. 58.

† In that part of Britain called Scotland.

‡ Bede, l. v. c. 20.

|| In Northamptonshire.

§ Carte's history of England vol. i. page 259.

¶ Now Alnwick or Anwick, in Northumberland, so called from the river Alne, which flows by it.

** At the express direction of the Virgin Mary, say the monkish historians, who appeared to him in a vision for this purpose; the circumstances of which being made known to pope Boniface, he dispatched his legate to England, who convened a council in London, where both the worship of images and the celibacy of priests were decreed.

†† As at the end of Bede's History we have a catalogue of

all the bishops in England at that time, it may not be amiss to give it our readers in a note. Tatwin, as we have said, was now archbishop of Canterbury, and Adulph bishop of Rochester; Ingwald held the see of London, the only one the East Saxons had; Eathbert and Hardulan were bishops of Dunwich and Helmam, in East Anglia; Daniel was bishop of Winchester, and Forthere of Sherburn, among the West Saxons; Alwin was bishop of Litchfield, and Walchford of Hereford, or, as Bede expresses it, over all the inhabitants to the westward of the Severn; Wilfred was bishop of Worcester, and Cunebert of Cydnacester, or Lindsey; Wilfred II. was bishop of York, Ethelwald of Lindisfarne, Acca of Hexham, and Pethelm of Whithern, which had been lately erected into a see.

see by Nothelm, who held it till 741, when on his death that dignity was filled by Cuthbert bishop of Hereford, who was of noble extraction, and, by the character Bede gives of him, a person of learning, and curious in his researches. In his time was held the famous synod of Cloveshoe, which was convened for the reformation of abuses, and the laying a restraint upon the profligacy of manners, which was daily encreasing; as also for the enforcing the due performance of the priestly function. At this synod Cuthbert presided, and, with the assistance of all the Mercian bishops*, compiled an excellent body of canons. Ethelbald, king of the Mercians, honoured this synod with his royal presence, determined, by the amendment of his own life, to set an example to his subjects.

Among the many excellent canons passed by this synod, the twenty-first is of so general and excellent a nature, that we cannot forbear presenting our readers with it.

This canon decrees, "That monks or ecclesiastics shall neither follow nor affect the vice of drunkenness, but shun it as a mortal poison; since the apostle declares, that drunkards shall not inherit the kingdom of God. Be not drunk with wine, in which is luxury, nor let them force others to drink intemperately; but be their entertainment cleanly and sober, not luxurious, nor with any mixture of delicacies, nor intemperate mirth, lest the reverence due to their habit grow into contempt and deserved infamy among seculars, and that, unless some necessary uniformity compel them, they do not, like common tipplers, help themselves or others to drink till the canonical, that is, the ninth hour, be fully come." The wording of this canon plainly shews that the clergy of those days had already departed from that abstinence, and decency of manners, which was the distinguishing mark of their order in the primitive times.

Cuthbert, archbishop of Canterbury, died A. D. 758. and was succeeded by Brethwin, of Saxon extraction, who died in less than three years after his exaltation, leaving behind him a most exemplary character for his piety and prudence. The breath had scarcely quitted his body, when Lambert, abbot of St. Augustin's, came with a party of soldiers to Christ Church, where Brethwin died, in order to carry off his body, and bury it in the monastery of St. Augustin, agreeable to a privilege which those monks claimed. Upon enquiry, finding that the monks of Christ-Church had already caused it to be interred within their precincts, he threatened them with an appeal to Rome, which so intimidated the poor friars, who well knew the haughty disposition of Lambert, and the influence he had with Paul V. then pope, that, to compromise the matter, they elected the angry abbot into the see of Canterbury, A. D. 762.

A. D. 767 died that most excellent prelate Egbert archbishop of York, who was brother to the king of Northumberland, and, by the noble stand he made against the encroachments of the papal authority, received the privilege of the pall, which

had been taken from it, and with it the honour of having the three bishoprics north of the Humber made suffragan to his diocese, A. D. 736.

During Lambert's enjoying the archiepiscopal dignity, he had a warm contest with Offa king of the Mercians, whose ambition prompted him to erect an archiepiscopal seat within his own dominions, in which, by his great power, he succeeded, notwithstanding all the efforts of Lambert; and pope Adrian issued a grant for erecting Litchfield into an archbishop's see, to which all the Mercian bishops were made suffragans. This was a deadly blow to the liberties and independency of the English church, of which the see of Rome was so sensible, that the pope presently afterwards sent Gregory and Theophilact, two prelates, in the character of legates to England, who held a synod in Northumberland (at what place is unknown,) wherein several former canons were confirmed, and new ones made; all which were afterwards fully confirmed by a council called at Calcuith, and Adulph, the new-made metropolitan of Mercia, received the pall from the pope as archbishop of Litchfield: but Canterbury afterwards recovered its rights, and Litchfield was again reduced to its original state of a suffragan to that see.

Lambert was succeeded in the archbishopric of Canterbury by Athelard bishop of Winchester, a bustling prelate, and one who had considerable influence with the nobility. By his indefatigable perseverance, and warm remonstrances, he procured from Kenulph, king of the Mercians, the restoration of the privileges of his see, which restoration was fully confirmed in a council at Cloveshoe, A. D. 803, at which king Kenulph was present in person; when the severest ecclesiastical censures were denounced upon any king who should comply with such infringements for the future.

The year 804 was distinguished by the death of Alcuin, a priest of the most amiable character, and whose learned was as uncommon for those times as his piety was exemplary. He had been ambassador from Offa, king of the Mercians, at the court of Charlemagne, who, having himself a taste for literature, cherished Alcuin, and profited by his lessons; in return for which he bestowed on him every mark of royal favour, and from his tutor made him his minister; in which post Alcuin distinguished himself by the wisdom of his counsels, and the uprightness of his conduct. To the persuasions of this illustrious monk was owing the happy change made in the disposition of the monarch of the Franks, whose haughty and ambitious temper, whose unbounded thirst for power, and ferocity of manners, were by him softened into an affection for the arts of peace; and of a brutal and lawless invader, he became the encourager of the liberal arts, and the patron of genius, by founding the universities of Paris and Pavia, to which scholars of all nations were invited, particularly those of England and Scotland, which latter long asserted a claim to the birth of Alcuin, through the Northumbrians appear the most justly entitled to that honour.

In the same year died Athelard, the restorer of

* The names of the prelates who assisted at this council, were Cuthbert, archbishop of Canterbury; Dunnus, bishop of Rochester; Jotta, Huita, and Pedda, bishops of Leicester, Litchfield, and Lindsey; Hunford and Herward, of Winchester

and Sherburn; Herdulf, of Dunwich and Hexham; Eogulf, bishop of London; Meldred, of Worcester; Alwy, of Cidnacester; and Sigga, of Selsey, in Suffex.

the metropolitical rights of Canterbury, and was succeeded by Wulfrid, a monk of Christ-Church.

A. D. 816 another council was held at Calcuith, where Wulfrid presided, attended by twelve of his suffragans, together with Kenwulph king of the Mercians, and most of the nobility. To this synod the inferior clergy were also admitted. Here several canons were passed relative to church-government, the worship of relics, consecration, &c.

A. D. 821 the same prelate held another synod at Cloveshoe, in presence of Beornulph king of the Mercians, and the temporal powers of the kingdom.

The last fact relating to the state of religion before the dissolution of the heptarchy, shall be the council held at Calcuith under the same Beornulph, A. D. 824, at which were present Wulfrid archbishop of Canterbury, and the chief of the

clergy and laity. This synod was convened in order to settle certain disputes that had arisen between Herbert bishop of Worcester, and the monks of Berkeley. Here, according to Sir Henry Spelman, the method of deciding by oath was first introduced, an hundred and fifty priests being sworn in upon this occasion. The lands were adjudged to the bishop; but here we find both the temporal and spiritual powers signing the charter of confirmation.

Having closed this summary of the state of religion during the Saxon heptarchy, I come next to consider the laws, manners, and customs, that prevailed amongst them after their conversion to Christianity, to the end of the heptarchy.

The Saxons, notwithstanding their natural ferocity and barbarity, had the wisdom to make several valuable regulations for domestic peace*, which, however, were but rarely executed, owing to the tumults

* The chief legislators among the Saxons were Ethelbert, Ina, and Offa. The Digesta of the two former being in themselves very remarkable and curious, and having come down to us entire, they deserve the reader's notice. I have therefore given them a place in the notes. The laws drawn up by Ethelbert, after his conversion to Christianity, by the advice and consent of the wisest men of his kingdom, and which were engrossed in the Anglo Saxon language, were as follow:

1. Let sacrilege be compensated twelve fold, the theft of the goods of a bishop eleven-fold, the goods of a priest nine-fold, of those of a deacon six-fold, of those of a clerk three-fold, the violation of the peace of a church two-fold, and that of a monastery two-fold.
2. If the king call an assembly of his people, and any damage be done to them there, let it be repaid two fold, and fifty shillings be paid to the king.
3. If the king is at an entertainment at any one's house, and any damage be done there, let it be compensated two-fold.
4. If a freeman steal any thing from the king, let him compensate at nine-fold.
5. Let him that killeth a man in the king's own city be fined fifty shillings.
6. Let him that killeth a freeman pay fifty shillings to the king for the loss of a subject.
7. If any one kill the servants of the king's master smith, or butler, let him pay the ordinary mulct.
8. Let the violation of the king's patronage be compensated with fifty shillings.
9. If a freeman steal any thing from a freeman, let him repay it three-fold, let a mulct be imposed, and all his goods confiscated to the king.
10. If a man lie with the king's maid-servant, being a virgin, let him compensate her virginity with fifty shillings.
11. If she be a grinding maid, let the compensation be twenty-five shillings, if of the third rank twelve shillings.
12. Let the violation of the chastity of the king's victualling maid be compensated with twenty shillings.
13. Let him that killeth a man in the city of an earl be fined twelve shillings.
14. If a man lie with a maid that is an earl's cupbearer, let him compensate her virginity with twelve shillings.
15. Let the violation of the patronage of a yeoman be compensated with six shillings.
16. Let the violation of the chastity of a maid that is a yeoman's cupbearer be compensated with six shillings, that of a yeoman's other maid servants with fifty scættas, and those of the third rank thirty scættas.
17. Let him that first breaketh into another man's house be amerced six shillings, the second three shilling, and the rest one each.
18. If any one lend another arms where there is a quarrel, though no harm be done thereby, let him be amerced in six shillings.
19. If robbery be committed let it be compensated with six shillings.
20. But if a man be killed, let the murderer compensate his death with twenty shillings.
21. If a man kill another, be the ordinary mulct of an hundred shillings imposed upon him.

22. If a man kill another at open grave, let him compensate his death with twenty shillings besides the ordinary mulct which he must pay in forty days.

23. If the homicide fly his country, let his relations pay half the ordinary mulct.

24. Let him that bindeth a freeman pay twenty shillings.

25. Let the murderer of a yeoman's guest compensate his death with six shillings.

26. But if the landlord killeth his chief guest, it shall be eighty shillings.

27. If he kills the second sixty shillings, if the third forty shillings.

28. If a freeman cut down a hedge, he shall pay six shillings.

29. If a man take away a thing kept within the house, he shall pay it three fold.

30. If a freeman break over an hedge, let him compensate with four shillings.

31. Let him that killeth a man make compensation according to the true valuation in current money.

32. If a freeman lie with a freeman's wife let him make amends by buying another wife for the injured party*.

33. If a man prick another in the right thigh, let him compensate the same.

34. If he catch him by the hair let him pay fifty scættas.

35. If the bone appear let him pay three shillings.

36. If the bone be hurt let him pay four shillings.

37. If the bone be broken let him pay ten shillings.

38. If both be done let him pay twenty shillings.

39. If the shoulder be lamed be it compensated with twenty shillings.

40. If he is made deaf of an ear let it be compensated with twenty-five shillings.

41. If the ear be cut off let it be compensated with twelve shillings.

42. If the ear be bored through, let it be compensated with three shillings.

43. If clipped off, with six shillings.

44. If the eye be struck out let fifty shillings compensate it.

45. If the mouth or eye be injured, let twelve shillings make a compensation.

46. If the nose be bored through, let nine shillings be the compensation.

47. If but one membrane be bored, be three shillings the compensation.

48. If both, six shillings.

49. If both nostrils be slit, let each be compensated with six shillings.

50. If bored, by six shillings

51. Let him that cutteth off the chin-bone, pay twenty shillings.

52. Let each of the four fore-teeth, be compensated with six shillings; for the one that stands next, four shillings; for the next, three shillings; for each of the rest, one shilling. If it be an impediment to his speech, twelve shillings; if the jaw-bone be broke, six shillings.

53. Be the bruifery of the man's arm compensated with six shillings; and the breaking it, with six shillings.

54. If the thumb be cut off, let it be compensated with

* That is by giving a portion to some other woman to take such man to her husband, according to the manner of the Saxons, who always gave money to their wives instead of receiving it with them.

tumults of war, the ambition of their petty sovereigns continually engaged them to invade each others dominions, and to destroy all the good order and harmony which the short intervals of public tranquillity had enabled them to establish.

It would require a volume to give a clear abstract of all their political and civil institutions; and to draw the comparison betwixt their code and ours: suffice it then to observe, that the monarchy was limited, that the king was accountable for his conduct to the general assembly, as appears

in many instances, that the crown was partly hereditary, and partly elective, during the heptarchy; the people never opposing the lineal succession; but when through imbecility, tyranny, or some atrocious crime, the lineal heir became obnoxious, and in that case, in every kingdom of the heptarchy, the crown became elective.

That the nobles and chiefs of the state performed honorary, military, and civil service, attending the king to the field of battle, exposing their lives on all occasions for his defence, assisting him with their counsels, trying his causes in their

twenty shillings; the nail of the thumb, with three shillings; the fore finger, with eight shillings; the middle finger, with four shillings; the ring finger, with six shillings; the little finger, with eleven shillings.

55. For each nail, a shilling.

56. For the least blemish, three shillings; for greater ones, six shillings.

57. A blow on the nose with the fist, three shillings.

58. If the nose be wounded, a shilling.

59. If the stroke be black without the cloaths, let it be compensated with thirty scattas; if within the cloaths, with twenty.

60. If the midriff be wounded, let it be compensated by twelve shillings; if bored, by twenty shillings.

61. If one is made to halt, let it be compensated with thirty shillings.

62. If one wounds the calves, let thirty shillings be the recompence.

63. If any man's privy member be cut off, let it be compensated by thrice the ordinary mulct; if it be bored, by six shillings; if cut, by six shillings.

64. If a man's thigh be broke, let twelve shillings be the recompence; if it is lamed, let the friends judge.

65. If a rib be broke, let it be compensated with three shillings.

66. If the thigh be pricked, for every prick be paid six shillings; if it be an inch deep, one shilling; if two inches, two shillings; if above three, three shillings.

67. If a vertebra be wounded, let it be compensated with three shillings.

68. If the foot be cut off, with fifty shillings.

69. If the great toe be cut off, with ten shillings.

70. For each of the other toes, half the price, as for the fingers.

71. For the nail of the great toe thirty scattas, and ten for each of the rest.

72. If a free woman, wearing her hair, do any thing that is dishonourable, let her pay thirty shillings.

73. Let the compensation of a virgin be the same as that of a freeman.

74. Let the violation of the patronage of the chief widow of a noble family be compensated by fifty shillings, of the next by twenty shillings, of the third with twelve shillings, of the fourth with six shillings.

75. If a man marry a widow that is not at her own disposal, let him compensate the violated patronage.

76. If a man buy a maid with his money, let her stand for bought, if there is no fraud in the bargain; but if there be, let her be returned home, and the purchaser's money restored to him.

77. If she bring forth any live issue, let her have the man's goods, if he die first.

78. If she has a mind to depart with her children, let her have the half of his estate.

79. If she have no issue, let her relations have the goods and the dowry.

80. If a man take a maid by force, let him pay fifty shillings to her first master, and afterwards redeem her according to his pleasure.

81. If she be before betrothed to another, let him compensate with twenty shillings.

82. If she be with child, let him pay thirty-five shillings, and fifteen shillings to the king.

83. If a man lie with the wife of a servant while her husband is alive, let him make double recompence.

84. If a slave kill another slave, being innocent, let him compensate his death with all his substance.

85. If a servant's eye or foot be struck off, let it be compensated.

86. If a man bind another's servant, let it be compensated with six shillings.

87. Let the robbery of a servant be compensated with three

shillings.

88. If a servant steal any thing, let him compensate the same twofold.

Ina, is the first we know of who regularly summoned a great council for the purpose of enacting laws for the better government of his kingdom, and these may be considered as the acts of a Saxon parliament. The introduction to them is as follows:

"Inna, by the grace of God, king of the West Saxons, by the counsel and advice of Centred my father, and Edde and Erkenwald my bishops, with all my eoldermen and sage antients of my people, as also in an assembly of the servants of God, have religiously endeavoured, both for the health of our soul and the common preservation of our kingdom, that right laws and true judgments be founded and established throughout our whole dominions; and that it shall not be lawful, for the time to come, for any eoldermen, or other subject whatever, to transgress these our constitutions."

1. If a servant do any work on a Sunday by command of his master, he shall be free, and his master shall be amerced thirty shillings; but if he went about the work without his master's privity, he shall be beaten, or redeem the penalty: but a freeman, if he work on that day without the command of his master, shall lose his freedom, or pay sixty shillings: if he be a priest, his penalty shall be double.

2. The portion or dues of the church shall be brought in by the feast of St. Martin: he that payeth them not by that time, shall be amerced forty shillings, and, besides, pay twelve times their value.

3. If any, guilty of a capital crime, shall take refuge in a church, he shall save his life, and yet make recompence according to justice and equity: if one deserving stripes run to a church, the stripes shall be forgiven him.

4. If any one fight within the king's house or palace, he shall forfeit all his goods; and it shall be at the pleasure of the king, whether he shall have his life or not. He that fights in a church, shall pay one hundred and twenty shillings; in the house of an eolderman, or other sage nobleman, sixty shillings. Whoever shall fight in a villager's house, paying scot, shall be punished thirty shillings, and shall give the villager six shillings; and, if any one fight in the open field, he shall pay one hundred and twenty shillings.

5. He that, on his own private account, shall revenge an injury done to him, before he hath demanded public justice, shall restore what he took away, and, besides, forfeit thirty shillings.

6. If a robber be taken, he shall lose his life, or redeem it according to the estimation of his head. We call robbers to the number of seven or eight men; from that number to thirty-five, a band; all above, an army.

7. If a country boor, having been often accused of theft, be at last taken, he shall have his hand or foot cut off.

8. If any one kill another's godfather or godson, the satisfaction shall be according to his quality and circumstances: let the compensation due to the relations, and that due to the lord for the loss of his man, be both alike, and let the one encrease according to the circumstances of the person just as the other doth; but if he be the king's godson, let him make satisfaction to the king as well as the relations; but if his life was taken away by a relation, then let the money due to the godfather be diminished as it useth to be when money is paid to the master for the death of his servant: if a bishop's son be killed, let the penalty be half so much.

9. If any Englishman, who has lost his freedom, do afterwards steal, he shall be hanged on the gallows, and no recompence made to his lord: if any one kill such a man, he shall make no recompence on that account to his friends, unless they redeem him within a twelvemonth.

Offa compiled a body of laws which he published under the title of *Mercius Leaga*, in which there is nothing sufficiently interesting or curious to induce us to swell our note with extracts therefrom.

counties,

counties, and furnishing him with arms and ammunition, without fee or reward; for which reasons I call it honorary service; and as none were admitted to perform these grand services but such as had large estates, they could not be supposed to want any assistance from the king; and their vassals again being obliged to serve under them, there could be no necessity for funds to carry on their wars, or to pay their officers either in the field or cabinet; yet this was the age of ignorance, of superstition, and ferocity.

The same regulations ran through the whole of their administration, when not disturbed by civil wars; for we do not find that any magistrate, from the highest to the lowest, received any pecuniary recompence for the distribution of justice, if the trial by ordeal can be so called; and it does not appear that even the inferior officers of their courts were allowed any fees, but that the whole expence of all proceedings, including the charges of their meetings, was defrayed from the fines levied for particular crimes.

Lastly, let us not forget the antiquity of trials by juries, which undoubtedly were in use at this time; for according to Lambert, page 49, there were six Welch freemen and six Anglo-Saxons appointed in the time of the heptarchy, *ex medietate lingue*, to try causes between the Welch and the English Saxons: and these are very plainly distinguished from the twelve thanes mentioned in Ethelred's law, who were joined with the hundred-aries as coadjutors to assist him in adjudging causes at the inferior sessions, where the earl did not preside.

It is very remarkable that these jurors, or jurymen, were always men of the most unblemished characters, who did not stand accused of any particular immorality: that they were always men of property in the county in all cases civil and criminal; that they were answerable with their whole estates, real and personal, for false verdicts, unless they could plead in their defence ignorance of the law; and that the condemned parties might always appeal to the king's court, which enjoyed the same supremacy as our house of peers.

This being the true state of the trials at law in the time of the Saxons, let us be indulged in one reflection—If these trials by juries are the foundation of the English liberty, it must be when every necessary precaution is taken to procure men whose characters are unblemished, who make a conscience of their oaths, or, if that cannot be obtained, whose fortunes are responsible for a false verdict—such precautions were taken by the Saxon legislators, who, could they return from the dead, would doubtless be astonished, nay, “I will be bold to say,” would highly censure the conduct of this enlightened generation, when they heard a set of men, in a civilized, free country, crying aloud for liberty and independency, especially in courts of judicature, and extolling to the skies the privilege of juries, and, with the same breath, in all companies, openly declaring, that they had so much at heart the decision of particular causes according to their own ideas, that they would give large sums of money to be jurymen, purposely to decide the cause in their own favour; when it is plain that men so determined, if they should be

called upon to serve as jurymen in these particular causes, would act contrary to the very intention of establishing juries, and with their own hands pull down that pillar of liberty, which they so zealously pretend to support.

Having given a short sketch of the religion, government, and laws of this barbarous age, we proceed to observe, that learning at this period was at a very low ebb; none but the priests and the nobles could read their own language, and not all of these; the priests could not so much as translate Latin into Saxon or Old English. This is the reason the history of these times is so imperfect, and emersed in fable and tradition, and that there is such a want of materials. Gildas copied from foreign authors, and not from any annals he found of any other historian of this country. Bede followed Gildas, with some additions; and most others Bede, and the imperfect chronicle of that time. The devastation of the Saxons probably destroyed what remains of learning were found in those days, and which, being confined to cloisters, was burnt, or buried in the ruins of the monasteries these pagans rifled and erased in their blind rage, before they were converted to Christianity. After Bede, no writer undertook to give the history of those times, till after the Norman conquest.

As to the arts and sciences, not the least traces are to be found of their existence in these troublesome times: indeed, they can never make any progress, where rapine, desolation, and cruelty, carry the brand of civil war through a divided country. The foundation and endowment of an English college at Rome is the only vestige of an encouragement given to the sciences, and this I take to have been confined chiefly to theology; and whether the students found preferment at Rome, or grew enamoured of the place, or whether they dreaded to return to a country continually in arms, one tyrant opposing the progress of another, we are at a loss to determine; but it is to be observed, that these were not the persons sent over to convert their countrymen; the missionaries chosen for this purpose were all foreigners.

The barbarous customs of these times are very imperfectly recorded; all we know is, that their dress, like their manners, was rude and despicable, that their disposition was savage, and the robustness of their constitution suited to their disposition; and if in any thing they merit commendation, it is for that temperance and simplicity of diet and dress, which gave them such a robust constitution, that, had the force of virtue been as strongly impressed on their minds as brutal strength was attached to their persons, they might have passed for demi-gods with the admirers of antiquity, who find every rare quality in the character of a Roman, while they often overlook the superior talents of the generous Briton of their own day, expiring in the cause of a country justly preferable to ancient Rome.

The reader is by this time, no doubt, heartily wearied with this dry and uninteresting period of our history: we shall therefore conduct him into a more extensive field, where his prospect will be enlarged, and he will find himself emerge from the night of obscurity and error into the more agreeable paths of enlightened certainty.

THE
HISTORY
OF
ENGLAND.

FROM

The First Founding of the ENGLISH MONARCHY by EGBERT,
to the NORMAN CONQUEST.

PART III.

EGBERT, First KING of ENGLAND, A. D. 800.

WE have already shewn, in the course of the confused history of the heptarchy, that the illustrious Egbert, being obliged to abandon his country to avoid the destruction with which he was menaced by Brithric, king of the West Saxons, had fled for protection to the Mercian court, where Offa, at the instigation of his queen, refused him an asylum, and the young prince was obliged to take refuge in the court of Charlemagne. Here he made the most salutary use of his exile, by employing his time in learning the arts of government in the politest court, and under the greatest prince of the age, and in taking all the necessary steps to arrive at universal monarchy. Fortune, who had hitherto frowned on this young hero, began to give proofs of a greater complacency, and he saw the completion of his designs grow near upon the death of Brithric, A. D. 800, who had scarcely paid the debt of nature when the West Saxons sent an invitation to Egbert to return to his native kingdom, and assume the crown of his ancestors.

And now he found himself at the head of an united, rich, and powerful people, whose affection to him was the certain earnest of future greatness. It is more than probable that he had already formed the design of uniting the several kingdoms of the Saxon heptarchy under one head; but this he kept a profound secret, and even affected to appear in the light of a mediator rather than that of a person ambitious of conquests, or desirous of universal rule. Accordingly we find him bringing about a reconciliation between Eardulf king of the Northumbrians, and Kenulph

king of Mercia, when these two sovereigns were on the point of deciding their differences by the sword, having actually taken the field for that purpose. This conduct, together with the just and pacific manner in which he governed his own people, begot so high an esteem of his character with the other Saxon princes, that he was unanimously chosen chief of the heptarchal confederacy.

And now, considering the inveterate hatred which the Britons nourished, not only against himself, but against all the Saxon race, Egbert very wisely determined to make them the first object of his arms. By this artful and well-judged step he not only rendered himself more dear to his allies, but paved the way to the completion of his grand design in a manner that left no room for the least shadow of suspicion.

A. D. 808, he led his army into the country of the Cornish Britons, a hardy race enured to the toils of war, who, though often on the brink of being reduced, had always hitherto found means to baffle the efforts of their enemies, and preserve their independence. Now, as at all times when attacked, they made the most obstinate resistance, and a furious slaughter ensued on both sides. On the other hand, the West Britons, burning with the same ardour for liberty, and alarmed at the attempts of Egbert to subdue their countrymen, threw all their force into the balance in their favour, so as to render this war long, doubtful, and bloody, for, though some modern historians treat the conquest of Cornwall as a cheap and easy victory, it evidently appears from the Saxon chronicle

cle of Matthew of Westminster, as also from Speed, that Egbert was still engaged in this same war five years afterwards, namely, in 813*.

Egbert, incensed at the assistance which the Welch had afforded their brethren, and despairing to be able to subdue so warlike and inflexible a people, if suffered to unite; he made an expedition into Wales, and laid all that country waste with fire and sword, and wrested the province of Gwyneth from them. Not contented with this, he made a law, by which death was denounced against any Britain who should be found to have passed Offa Dyke †. Nay the English historians, notwithstanding their great fondness and partiality for this prince, tell us, that he had the meanness to wreak his vengeance on inanimate objects, and that he actually ordered that statute of Ceadwalla, the British king, which had been erected over one of the city gates in London, to be demolished. Be that as it may, he at length totally reduced Cornwall to his obedience, and annexed that country to his own dominions.

The rapid success of Egbert's arms began at length to raise the suspicion of the neighbouring princes. Beornulf, king of Mercia, the proximity of whose dominions to those of the conqueror, exposed him the most to the effects of his ambition, was at the same time the most able to oppose any attempts, as being the most powerful monarch of the heptarchy. Determined therefore to be beforehand with his formidable neighbour, he made an alliance with the Britons, and it was agreed to fall upon Egbert at the same time with their united forces. Agreeable to this plan, the Britons invaded the newly-conquered countries of Devon and Cornwall; but, in a battle fought in 823, they were defeated. Beornulf himself, who had advanced at the head of an army into Egbert's dominions, as far as Ellandunum, now called Wilton ‡, and who was prodigiously superior in numbers to the West Saxon king, was nevertheless beaten by him; and the Mercian army, which had penetrated to so great a distance from their own dominions, was almost entirely cut to pieces in its retreat.

Egbert felt a sensible satisfaction in the fair pretext which Beornulf had given him by this invasion for turning his arms against him, and joyfully embraced this opportunity of humbling the Mercian power, which was the only bar to his favourite project of uniting all the kingdoms of the heptarchy under his own dominion.

For the present, however, instead of pursuing Beornulf, he sent his son Ethelwolf, Alstan, bishop of Sherborne, and Wulfhard, one of his ealdermen, into Kent, where Baldred, then king of that country, held his power, as tributary to the Mercians. Immediately upon the arrival of Egbert's troops, this dastard vassal fled and abandoned his kingdom to Egbert, who making use of the rights of conquest, annexed it to his own dominions; and so great was his success, that all that part of

the South Saxon kingdom, which had not been absolutely reduced by Ina, submitted to the victor, together with all the country of the East Saxons: so that in less than in twenty years after his return from exile, Egbert saw himself in full possession of four of the kingdoms which formed the Saxon heptarchy. In a very short time afterwards, having persuaded the East Angles to throw off the Mercian yoke; they accordingly took up arms, and Beornulf, marching to quell the insurrection, was slain. Upon his death the Mercians unanimously raised Ludican to the throne, who continued the war against the revolted East Angles, and in the pursuit of it was either slain in battle or assassinated; but authors do not agree in this point. However, it is certain that he died A. D. 823. The Mercians began now too late to be convinced of the real design of Egbert, who privately assailed the East Angles, and plainly saw that it was high time to think of securing their own liberties, instead of carrying on a fruitless war to preserve their title to East Anglia. On these considerations they elected Wiglaf, a general of approved valour, for their king, who probably would have maintained their cause against the East Angles, singly; but unable to withstand the united force of Egbert, who had now thrown off the mask, and declared openly in favour of the insurgents, he was driven from province to province, and at length retired for refuge to Seward, abbot of Croyland; and Egbert took possession of his kingdom, A. D. 825, which ever after remained subject to him. However, at the intercession of the pious abbot above-mentioned, Egbert restored the fugitive king to the throne, on condition that he should pay him homage and a considerable tribute.

Egbert now was at leisure to resume his operations against the Welch, who, from the intestine broils that prevailed amongst them, became an easy conquest to so experienced a leader, followed by troops accustomed to the arts and toils of war. So that, A. D. 829, Egbert, having totally quelled the Britons, found himself sovereign of all the country on the south-side of the Humber, and made preparations for extending his power northwards.

Northumberland, long wasted by domestic bloodshed and rebellion, was in no condition to withstand such an invader as Egbert; the throne was at that time filled by one Ealdred, who, sensible of the little dependance he could place in the loyalty or affection of the wavering Northumbrians, resolved to anticipate an event he foresaw as certain, and voluntarily submitted to the same terms which had been accepted by the East Angles, and to continue in possession of his shadow of royalty as tributary to the all-powerful Egbert.

That enterprising prince, who, by this submission, saw himself the undisputed monarch of all the seven provinces of the heptarchy, resolved to give the strongest sanction to his title. Accordingly, in the year 829, he summoned a general council of all the great men of the kingdom, clergy and laity,

* Rapin, with his usual inaccuracy, pretends, that the entire conquest of Cornwall was the work of but one campaign; but had the French historian giving himself the smallest trouble to enquire into this matter, he would have found that it cost the Saxon conqueror no less than thirteen or fourteen years of bloody contest to vanquish these glorious assertors of their na-

tive liberty.

† The exact time of enacting this law is not mentioned by historians; but it could not be till after the conquest of Mercia, in whose confines this ditch lay.

‡ A town near Salisbury in Wiltshire, so called from the river Willey, which runs near it.

at Winchester, where, by the unanimous consent of all present, he was solemnly crowned king of England; and it was at the same time resolved to give the name of England to South Britain, then under his dominion, and to distinguish it in all edicts for the future under that denomination. Wales being at this time conquered by him, it was likewise included in the domains in England; from this time, therefore, it will be proper to distinguish all transactions south of the Tweed, by the title of the history of England*, till the time of the happy union of England and Scotland, under the title of Great Britain.

Egbert was as much indebted to his popularity arising from his great abilities, as to the force of arms, for the superior power he attained; and, if he had not been interrupted in his designs for the public welfare by the descents of the Danes on the English coasts, it is very probable that he would have distinguished himself in the milder acts of peace; but these pirates disturbed his reign by their perpetual invasions and depredations. In the year 831, they landed in the Isle of Sheppey, in Kent, which they laid waste with fire and sword. Next year they returned again with a superior force, their vessels amounting to thirty-five, and landed at Charmouth in Dorsetshire, without meeting with any opposition. They immediately marched forwards, plundering and laying waste the country as they went along.

Egbert, on receiving news of their landing, collected a slight force in great haste, and was the first time guilty of that error which has so often proved fatal to the greatest generals: he despised his enemy without knowing their force, and was so firmly persuaded they would retire as soon as he appeared, that he invited his bishops and principal nobles to accompany him, and to partake of the diversion of pursuing the flying Danes to the seaside; but he soon found his mistake; for the Danes giving him battle, victory declared in their favour. The king himself was indebted to the darkness of the night for a secure retreat, and four prelates and two earls were left dead on the field of battle†.

Two years after this, namely, in 835, a larger fleet arrived and landed in Cornwall, having been invited by the Welch, who intended to join them and throw off the yoke of the Saxon supremacy. Their design was to have surprised the king; but taught by experience, and expecting a second visit, he had kept an army of disciplined troops on foot, and upon the first notice of the Danes landing, he immediately set out to meet them. By this prudent precaution, he turned the surprise upon them, and the two armies coming to an engagement, at Heston in Cornwall, Egbert obtained a signal victory over these savages, which amply recompensed him for his former loss, and for some time freed England from their invasions. Historians say that he was again attacked by them in the year 836, and again proved victorious. In the year following this great prince, the founder of the English monarchy, payed that tribute which nature exacts in common from the monarch and the peasant,

the coward and the brave, after having reigned as sovereign of England ten years, and twenty-seven as the superior of the heptarchy. He was succeeded by his son,

ETHELWOLF, A. D. 838.

ACCORDING to William of Malmesbury, the illustrious Egbert, when he was dying, told his son Ethelwolf, that he might be a great and happy prince, if he did not by his indolence suffer the kingdom to crumble away, which he had, by the most laborious industry, gathered together and cemented. The event proved this speech of the dying monarch to have been uttered with a truly prophetic spirit; for that indolent disposition which he had acquired during his residence in a cloister, while his elder brother was yet living, never forsook him; and although, upon his quitting the monkish habit after his brother's death, we find him assisting his father in his expeditions, against the Danes, and behaving with remarkable courage and intrepidity, yet a love for ease was the predominant passion of his soul, and he appeared not to have the least relish for the arts of war.

He was scarcely seated on the throne, when the Danes appeared off Southampton with a fleet of thirty-three sail. Ethelwolf sent Wulfhard, a brave general, against them, who fell upon the pirates and put them to flight with great slaughter; but the death of Wulfhard, which happened immediately upon his victory, gave the brutal invaders fresh spirits; insomuch that, before the English army had retired to quarters, they made a second descent upon Portland. On this occasion, one Ethelhelm was dispatched with the Dorsetshire men to oppose them, who encountered them, and at first had the advantage; and, had he not unfortunately lost his life, might have given them a total defeat: but, the Danes making a second stand, victory passed over to their side, and the English sustained an entire overthrow.

A. D. 840 they landed again at Romney, where Herebert, or Herebyht, an ealdorman, endeavouring to oppose them, lost his life. Flushed with success, they advanced farther up the country, and over-run all Lindsey, East Anglia, and Kent, where they committed the most brutal cruelties. The next year London, Canterbury, and Rochester, underwent the same fate.

Hitherto their sole object had been plunder, and therefore they landed only in small bodies, and retired again to their vessels when the business of rapine was over, or there appeared any reason of fearing a powerful opposition: but having, in their frequent descents, remarked the great fertility of the country, they determined to make a settlement in it. Accordingly they arrived with thirty-five large ships at Charmouth, the place where they had formerly defeated the English army under Egbert. This powerful invasion awakened the indolent Ethelwolf from his lethargy, who probably more fearful of losing his beloved ease, than

* The name of England, and the appellation of Englishmen, was in use as far back as in the time of Ina, A. D. 688; but it had never been ratified by a general assembly, nor indeed could it so long as the kingdom was divided into seven

monarchies.

† The names of two of the bishops were Herefrith and Wigen; those of the two noblemen Duuda and Osmond.

desirous of acquiring any martial fame, assembled his forces in haste, headed them in person, and gave battle to the Danes; but, by a strange fatality, experienced the same ill success as his father Egbert had done on the same spot, being obliged to fly, and leave the foe masters of the field; but, for particular reasons, they did not at this time chuse to maintain the footing they had acquired.

They were not long, however, before they returned again; for in 843 we find them assisting the Britons against Wiglaf, the tributary king of Mercia, and in 845 they appeared off Parrett, in Somersetshire: but here their wonted success seemed to have abandoned them; for they were routed with great slaughter; and the check they met with on this occasion procured the kingdom a short respite from their attacks. At this time Ethelwolf eased himself of some part of the burden of sovereignty, by bestowing the kingdoms of the East and South Saxons, together with that of Kent, on his son Athelstan.

A. D. 851 the Danes appeared again in greater bodies, and with more numerous fleets; but fortune did not favour their wishes, for they were routed at two different times; once in Devon, by Ceorl, governor of that country; and another time by Alcher, governor of Kent; and Athelstan took nine of their vessels in an engagement he had with them at sea, and drove them entirely off the coast. Notwithstanding these checks, they returned again in the spring of 852, and entered the river Thames with a fleet of three hundred sail when they were least expected, and consequently they met with little or no opposition. In this expedition they took London and Canterbury, and defeated Bartulph, king of Mercia; when, thinking that nothing could withstand them, they entered Surry, and prepared to penetrate farther into the country; but, being met by Ethelwolf and his other son Ethelbald*, the two princes fell upon them, and routed them with such a slaughter as almost to exceed the bounds of credibility; yet, even after all these losses, they made good their winter quarters in the Isle of Thanet.

After this period we find no more mention made of the young king Athelstan; from whence there is reason to believe, that he died soon after the defeat he gave the Danes at sea, as above-mentioned.

A. D. 853 the Welch took up arms, but were soon reduced to obedience by Ethelwolf and his son-in-law, Buthred king of Mercia, who had married his daughter Ethelwetha.

This year the Danes made a descent from their settlement in the Isle of Thanet upon the coasts of Kent and Surry, in revenge for which the forces of those counties made an attempt to dislodge them, but with bad success; for the Danes obtained a complete victory, and the two governors, Alchet and Hudda, perished in the fight. This day's success left the Danes at full liberty to fortify their new settlement in the Isle of Thanet, where

we shall leave them making preparations and collecting all their force (by means of the communication which they had open by sea) for the general inundation with which they soon afterwards overspread the face of the land, which they drowned with the blood of its native inhabitants, and attend Ethelwolf from the field to the cabinet, where we shall find his conduct too plainly verifying the prophetic speech of his dying father.

The defeat of the Danes at the battle of Okely had furnished Ethelwolf with leisure to indulge himself in the conversation of monks and the exercises of bigotry. He had shared his confidence and favour between two prelates of very different characters, Swithin bishop of Winchester, and Alstan bishop of Sherborn. The former of these who, with all the bigotry of his royal master, had more art and cunning, by the most fawning adulation, soothed him in his darling disposition, and was continually preaching up to him the joys of a holy retirement, and the expediency of despising worldly splendor for the more lasting benefits of a religious attachment. Alstan, who was the most amiable of characters, and who, at the same time, was a much better politician than his partner in the royal favour, left no stone unturned to rouse his sovereign from the lethargy into which the other sought to plunge him; but all his endeavours to animate him, by setting before him the examples of his illustrious ancestors, and the yet blooming fame of his father Egbert, were thrown away upon the supine Ethelwolf. Whenever the inroads of the Danes made the nation tremble for its safety, then indeed he listened to the counsels of Alstan; but no sooner was the impending storm blown off, when he gave himself up again to the guidance of Swithin, who knew so well how to take advantage of his weakness, that he engaged him in the most profuse and destructive donations to the church.

That nothing might be wanting to manifest his zeal for religion, he sent his young son Alfred† with a numerous retinue to Rome, in the year 853, to receive confirmation at the hands of pope Leo IV. who shewed the young prince the greatest marks of affection, and anointed him according to the manners of those times, when these two ceremonies of confirmation and unction were always administered together. On his son's return home, Ethelwolf resolved to crown his fanatical farce by taking a journey in person to Rome, and taking his son Alfred with him. Regardless of the danger his kingdom might be threatened with in his absence from those enterprising banditti the Danes, and even without naming a regency, he set out in the year 855, and was received with great honour by Benedict XIII. ‡. (lately made pope by the assistance of the Franks, in spite of the Roman people), who omitted nothing that he thought could render his stay agreeable to so great a benefactor, secure to find in his weakness an ample recompence for any civilities he might shew to him: nor was he disappointed in his conjecture; for the bigotted

* At a place called Okely, in Surry.

† Alfred, afterwards surnamed The Great, was the fourth son of Ethelwolf, and was born A. D. 849, at Wantage, in Berks. His mother, whose name was Osberga, a lady remarkable for her piety, as well as her birth. Her father was butler to king Ethelwolf, one of the principal officers about the court, his name Osar, and descended from the two first

Saxon princes in the Isle of Wight.

‡ Smollett, and from him Rider, has it Leo IV. which is a mistake; for Leo IV. to whom Benedict XIII. succeeded, died in the latter part of the year 854, soon after he had performed the ceremonies of confirmation and unction on young Alfred.

Ethelwolf not only engaged to establish the tax of Peter's Pence over his whole kingdom, but also obliged himself to pay yearly, during his reign, the sum of three hundred mancuses, or merks, to be expended in tapers for the churches of St. Peter and Paul, or in such other purposes as the pope should see fit.

From one folly this weak prince passed to another; for, having taken France in his way home, he fell in love with Judith, daughter of Charles the Bald, then a widow, though very young; and, notwithstanding the great disparity of their years, was married to her. By this imprudent step he embroiled the future part of his life, and was very near paying the forfeit of his folly and rashness with the loss of his crown.

While Ethelwolf was thus bandied between love and religion, he totally neglected the affairs of his kingdom, for whose safety he had not made the least provision at his setting out on his ridiculous expedition to Rome. This want of attention to his subjects gave them but too just a plea to withdraw their obedience, and every thing began to wear such a face of anarchy and confusion, that the patriotic prelate Alstan, thinking it his duty to exert those talents with which heaven had blessed him on this occasion, and, besides, not improbably excited by motives of resentment and jealousy at the ascendant his rival Swithin had gained over him in the favour of his royal master; this Alstan, I say, engaged Ethelbald prince-royal of Wessex, and Eanwolf earl of Somersetshire, in a plan for putting the government upon a more firm foundation, by taking it out of the hands of a monarch who had given so many proofs of dotage and incapacity for rule. The young Ethelbald, who was already disgusted at his father's having refused him the crown of Kent on the death of his elder brother Athelstan, readily embraced the proposal of the warlike and politic bishop: a great part of the nobility likewise espoused these measures, and it was unanimously agreed to prevent the old king from landing with his French consort.

However Ethelwolf, having gotten some notice of the machinations carrying on against him, arrived so suddenly, that the intentions of the conspirators were in some measure frustrated. Nothing then remained but to lay aside all thoughts of carrying their design into execution, or to avow it openly, and trust the event in the hands of fortune. Ethelbald chose the latter of these alternatives, being encouraged thereto by the general discontent of the people, who murmured loudly against the king for bestowing the title and dignity of queen upon his young consort, contrary to the law which had been made by the West Saxons upon their king Brithric's being poisoned by his wife.

A civil war now appeared inevitable, when happily a few of the principal noblemen and prelates, who had the good of their country at heart, determined to use their utmost endeavours to bring about an accommodation between Ethelwolf and his son. Their generous purpose met with the wished for success: the old king, wearied out with

the toils of government, and willing to end his latter days in the downy bed of peace, consented to cede the crown of Wessex to his son Ethelbald, reserving to himself only the kingdom of Kent, Essex, and Surry.

This condescension, which, by the way, does not appear to have been altogether voluntary, if we consider the measures made use of to obtain it, restored peace throughout the whole nation; and, during the two remaining years of his life, Ethelwolf met with nothing to interrupt his quiet; and, dying A. D. 857, divided his private patrimony between all his children, and his kingdoms between his two eldest sons, Ethelbald retaining the antient inheritance of the West Saxons, and Ethelbert succeeding to the territories over which he ruled himself, and which, upon the death of Ethelbert, were to devolve to Ethelred, and after him, in case he died without male issue, they were entailed upon Alfred.

ETHELBALD, A. D. 857, & ETHELBERT, A. D. 860.

THE first of these princes began his reign with the incestuous act of marrying his father's widow, the fair Judith, and governed for some time with a tyrannic sway; but being at length reclaimed by the prudent counsels of his prelates, and such of the nobles who had the honour of their sovereign, and the good of their country, at heart, he put away Judith; and during the remainder of his reign made atonement for the faults he had committed at first coming to the crown. He died in 860, and left the crown to Ethelbert, who added the West Saxon dominions to his own, governed with exemplary moderation and justice, nobly defended his country against the invasions of the Danes, who, having for some time intermitted their depredations, were become again troublesome; and, after a reign of only six years, died in 866, greatly regretted by his subjects. He was buried at Sherborne in Dorsetshire, near the remains of his brother. He left two sons, named Eadlhelm and Ethelwold; but was succeeded on the throne by his younger brother Ethelred, pursuant to the last will of his father Ethelwolf.

ETHELRED I. A. D. 866.

THIS prince's reign was full of action and disasters; he began it by a deed of injustice, in withholding from his younger brother Alfred the conquered provinces which Ethelwolf had by will bestowed on him in appanage. But a convention was shortly after made between the two brothers, who thereupon were firmly reconciled, and ever after acted in concert against the common enemy, the Danes, who were now grown so formidable, that nothing less than the strongest union could have been able to withstand them: for in this same year they landed in the country of the East Angles, under the command of Ivar, a bold and warlike chief, who had been previously invited over by a discontented nobleman, named Bruern Brocard*. They wintered in East Anglia, and at the beginning of the succeeding spring marched

* The cause of this invitation may be found as large in Guthrie, Smollett, and Rider; but we have purposely omitted it, as the several circumstances would only serve to swell the

history, without offering any thing essential for the knowledge of the reader.

into Yorkshire, defeated the two Northumbrian kings, Osbert and Ella, and remained masters of the greatest part of Northumberland: from thence they meditated the extension of their conquests over the rest of England; and with this view Ivar, in the beginning of the year 868*, marched southward as far as Nottingham, of which he made himself master, and fixed his residence for the winter. Buthred, the king of Mercia, alarmed at this progress of the Danes, applied to Ethelred for assistance, who was but too sensible of the fatal consequences of their invasions, to let slip the opportunity that offered of joining his forces to those of the king of Mercia; and accordingly he and his brother Alfred marched with an army of West Saxons to his assistance, and both forces joining, they lay siege to Nottingham, in which city the Danes, fearful of being overpowered if they should hazard a battle, had shut themselves up. After a few skirmishes on each side, both parties consented to a truce, which ended in a peace with the Mercians; and the pagans returned to their quarters in Yorkshire. It was in the year 870, that passing through Lincolnshire, they destroyed Bardney, Peterborough, Ely, and all the monasteries that lay in their route, sparing neither age, sex, nor quality, and carrying away every thing valuable enough to tempt their avarice†. After this they fell upon the East Angles, whose king Edmund they slew, after defeating his forces, at a place called Thetford, and subdued the whole country.

And now, flushed with success, and encouraged by the facility of their conquests, the ensuing year they quitted East Anglia, having left the government thereof in the hands of one Guthren, and advanced into the country of the West Saxons, the only power able to withstand them and prevent their making the conquest of all England. Ethelred, thus attacked, thought himself intitled to the same assistance from the Mercians, which he himself had so lately afforded them: but gratitude making no part of politics, and these people being afraid to rouse the resentment of the Danes, absolutely refused to become parties in the war; their example was followed by the Northumbrians. And thus was Ethelred left as it were alone to sustain the effects of those sons of blood and rapine. The struggle made upon this occasion by our English prince, does honour to his name and nation. Being joined by his brother Alfred, with his forces, they advanced against the savages, who had penetrated as far as Reading. Ethelwolf, earl of that country, had already fallen upon one of their detached parties at Englefield, which he had put to the rout, with the loss of one of their leaders. Being now joined by the royal brothers, they formed a very considerable force, and several battles were fought with various success, the most considerable

of those was that of Ashdown‡, where the victory was determined in favour of the English, by the bravery and conduct of young Alfred; and the Danes were routed with the loss of one of their principal kings, five earls or generals, and many thousands of their common soldiers. It is remarkable that at the first onset Ethelred was at prayers within his tent, nor could he be prevailed upon by any alarm or apprehensions of danger to leave his devotion unfinished; upon which Alfred took the conduct of the day upon himself; but Ethelred, having ended his prayers, came in time to his brother's assistance, who must otherwise have been overpowered by numbers. Upon the whole, the event of the day was glorious to the English.

But the royal brothers having encountered another party of the enemy about fourteen days after, at Basing in Hampshire, had the advantage, as they also had in another action that happened two months after the former, at Merton||, where the English were at first victorious; but, pursuing in disorder, the fate of the day proved in the end favourable to the Danes, who remained masters of the field of battle; but the greatest loss was in the brave Ethelred, who in this engagement received his death-wound, and dying a little after Easter, A. D. 871§, left his kingdom to his brother Alfred.

A L F R E D, surnamed The Great, A. D. 871:

ALFRÉD, on the death of his brother, was anointed king at Winchester. Young as he was, having seen but twenty-two years, he had in this short course given such proofs of valour and native goodness of heart, that no monarch ever ascended the throne with more happy presages of being the darling of his people: at the same time no prince had ever greater difficulties to surmount at his first accession to royalty. His kingdom was exhausted of subjects; his country was wasted by lawless and cruel invaders, who had settled themselves in the very heart of it; his cities were ruined, and the nation in general worn out with the fatigue of the many battles it had so lately been obliged to sustain, insomuch that even slavery, upon settled terms, seemed more eligible than a freedom which was to be maintained only by incessant toils, and depended on precarious success in the field.

But Alfred, disdainful of inglorious ease, and superior to all the vicissitudes of fortune, betook himself to every salutary measure that could procure ease or happiness to his people. He knew that great disasters were only to be retrieved by great efforts, and was determined to shew what a king of England could do, secure of the affection of his people, and exerting the natural strength of this island.

* This year is distinguished by a great famine in England, and by the marriage of Alfred to the daughter of Ethelred, eolderman of the Gani, inhabitants of the place now called Gainsborough.

† The heroic behaviour of Æbba, the abbess of Coldingham, and her nuns, deserves particular notice, as the most exalted instance of virtue and magnanimity. In order to prevent herself, and the nuns under her charge, from exciting the lust of the brutal ravishers, she persuaded them to cut off their noses and upper lips, herself setting the example, in which she was followed by all the rest of the sisterhood present. Ivar and Hubba repairing thither the next day, and finding themselves disappointed of the pleasures they expected to taste in

the arms of these maidens, became furious, and instantly ordered the monastery to be set on fire, and the abbess, with all her nuns, perished in the flames.

‡ An hilly tract of country in Berkshire, overlooking the Vale of the White Horse, which seems to have taken its name from the figure of an horse cut on the sloping side of the chalky down in memory of this great victory. See *Wife's Letter to Dr. Mead, concerning some Antiquities in Berks.*

|| Formerly called Merantun, in Wiltshire.

§ He died at Willingham, and was buried at Winburn, in Dorsetshire: he left several children, one of whom, called Alfred, was great-grandfather of the historian Ethelward.

In less than a month after he had paid the last rites to his deceased brother, he took the field in person against the whole power of the Danes, with a force much inferior to theirs. He came up with the enemy at Wilton in Wiltshire, engaged them, and for awhile had the advantage; but being unable to conceal the weakness of his army, when he was to pursue the flying enemy, they rallied, and returning to the charge with that resolution which a consciousness of superior strength infuses, even into the most dastardly, they compelled him to quit the field. This victory however had cost the Danes so dear, and given them such a specimen of what they had to expect from a prince of Alfred's talents, that they gladly embraced an opportunity of entering into a treaty with him, by which they engaged to quit his territories, which they did, and then bending their march to London, they took up there winter quarters in that city, having entered into a treaty with the Mercians.

After having left Alfred at quiet for near five years, they landed again in Dorsetshire, and surprised Wareham Castle, the strongest fortress belonging to the West Saxon dominions; but, on Alfred's marching against them, they sued for peace, delivered what hostages he demanded, and swore by those things which were most sacred to each party, that they would retire out of his kingdom.

But such a savage and rapacious people were not to be bound by any ties, however sacred, longer than their interest concided with their assurances. This Alfred found to his cost; for the Danes, in direct violation to this solemn agreement, fell upon a party of English cavalry in the night, and surprised the city of Exeter, where they fortified themselves and passed the winter, being continually reinforced with supplies out of their own country by sea.

Alfred therefore, wisely considering that he could never hope to subdue or expel these invaders of his country, so long as they remained superior on that element, determined, with genius truly great, to raise a maritime power that should be able to encounter theirs, and prevent their landing in such numbers as heretofore. He accordingly fitted out a kind of gallies that drew but little water, and were admirably well contrived for guarding the coasts. These he furnished with men, arms, and provisions; and in the year 876, we find him at the head of his own navy, putting to flight a Danish armada, of one hundred and twenty sail, off Sanwic in Dorsetshire, which unexpected blow so terrified the Danes that were in Exeter, and against whom Alfred was now in full march, that they once more sued for peace, renewed all their former oaths, and gave fresh hostages for their speedy departure out of the country. And now entering Mercia, they set up Ceowulph, a man of mean abilities, as deputy, or king, under them, and shared the rest of the provinces among themselves*.

The West Saxons, however, did not long enjoy the sweets of repose; for the Danes being masters of all England north of the Thames, and being joined by continual swarms of new-comers, they began to be straitened for room, and, proud of their superior numbers, determined, if possible, to drive Alfred altogether out of his dominions. With this view, their chief general, Haldane, sent one of his brothers with a strong fleet to effect a descent on the western coasts; while Gutheren fell upon the eastern parts of Alfred's dominions, A. D. 878, and this so suddenly, and with so great fury, that he made himself master of Chippenham in North Wiltshire, and with his numerous forces over-run the whole country like a deluge. Nothing was now able to withstand the bloody progress of these barbarians; the terror was so great and universal, that the king found it impracticable, either by threats or soothing, to engage his subjects to second him in the defence of their liberties.

Alfred, though thus deserted, did not follow the example of his uncle Buthred, who, on the like occasion, retired to the English college at Rome; on the contrary, though alone and unassisted, he resolved to revenge the wrongs of his country, or perish in the attempt; of such materials was the soul of Alfred composed. Divesting himself of every badge of royalty, tearing himself from every endearing charm of domestic happiness, he bestowed his young family among persons of approved fidelity, and himself took service under his own cowherd. He afterwards retired into the marshy island of Athelney†, within five miles of Taunton in Somersetshire, without imparting the secret of his retreat to any one but Odun, earl of Devon, a servant truly worthy of such a master. After some time this nobleman gathered a body of forces together, and gained a small advantage over the enemy, and took their Reafin‡, or royal standard. This gleam of success made Alfred resolve to give notice of the place of his retreat to his nobles, whom he invited to come and confer with him on the most proper measures to be taken to rid their country of the enemy. At this juncture, cloathed in a shepherd's dress, he ventured into the Danish camp as a player on the harp, where, after being eye-witness of the situation and defects of their camp, and having learnt from the unguarded barbarians themselves, that they were soon to celebrate a great festival, he flew to inform his nobles of the same, and appointed a general rendezvous of all their forces on a day fixed, at Buxton, on the forest of Selwood in Wiltshire, when marching directly with his small but resolute army for the enemy, who then lay encamped at Yattenden, on the borders of Hampshire, he surprised them in the midst of their merriment, and gained a compleat victory.

The Danes, after their defeat, fled to a castle, to which Alfred laid siege; and cutting off all supplies of provision, obliged such as had escaped the fury of the sword to capitulate, and were treated

* About this time the famous Rollo first appeared upon the English coasts; but either unwilling to interfere with the conquests of his countrymen, or fearing a stout resistance, he continued his route for the French shore, where in a short time afterwards he made himself master of all Normandy.

† This was a small peninsula formed by the waters of the Thone and Parret. It had not above two acres of solid ground in it, was enclosed every way with water, and had no entrance but by boats or wading. Upon this peninsula was a small

fort, in which Alfred took his humble refuge with his royal consort Elfwitha. When his friends repaired to him, he gave that place the name of Æthelingey, or rather Æthelingage; that is, the Island of the Nobles; in time changed to Athelney.

‡ So called from its having a raven embroidered on it by the three sisters of Ivar and Hubba purposely for this expedition. Olaus Magnus, and other antient historians, ascribe certain miraculous properties to this ensign, which are too ludicrous for repetition in a work of a serious kind.

by Alfred with the greatest lenity, notwithstanding the laws of conquest and retaliation entitled him to demand ample compensation for the miseries their ruthless arms had before inflicted on his country: but in this the conqueror acted politically as well as humanely. The terms agreed to were as follows:

That their leader Gutheren, the chiefs of their army, and the main body of their people, should embrace the Christian faith, depart his kingdom at an appointed time, and give hostages for the due performance of the treaty.

Those who did not chuse to part with their old religion embarked for Flanders where they exercised their darling trade of depredation under the command of one of their generals called Hastings, while Gutheren, their only surviving chief in England, became a convert to Christianity, and was baptized, with several of his principal noblemen, and a great number of officers, at Athelney, Alfred standing his godfather, by the name of Athelstan. These events fell out in the year 879. After a stay of twelve days, Gutheren and his train returned to their army, and, retiring into Mercia, passed some time at Cirencester, from whence they marched into the kingdom of the East-Angles, which, together with the adjoining county of Essex, had been allotted them by Alfred for their habitation, Gutheren being to hold it under him as a *feudatory**.

The Danes were now made denizens of England, and Gutheren received from Alfred a short code of laws for the government of his subjects, the first part of which related to religion and morality, and the second respected the limits of the territories of the two kings.

A. D. 881, a fresh body of Danes landed at Fulham, and took possession of it; but Alfred marching against them, and they finding that their countrymen would not assist them, reembarked in haste, and passed over to Ghent in Flanders, of which they made themselves masters.

A. D. 882, news being brought to Alfred, that four Danish pirates had appeared off his coasts, he went on board his fleet in person, and engaged them; and, as both sides had given orders not to grant quarter, the dispute was bloody and desperate; but victory at length declared in favour of Alfred. Two of the Danish ships were taken, and their crews put to the sword as pirates; the rest made their escape. After this defeat the Danes gave Alfred some respite; but in the year 885 certain of their countrymen who had been committing depredations in France, landing on the Kentish coast, laid siege to Rochester. The besieged, though greatly distressed, made a gallant resistance, which gave Alfred time to come up to their relief, who obliged the pagans to retire to their ships in such haste, that they left a number of prisoners behind them.

In a short time afterwards, Alfred had another naval engagement with these pirates. His fleet

met with sixteen of their ships on a cruise off Harwich, thirteen of which they took, burnt and sunk the rest, and returned home with considerable spoils.

Altho' this wise and vigilant prince had taken every precaution that human prudence could suggest, by the strengthening his marine, and repairing the decayed castles on the sea-shore, to protect the coasts of his realm from those enterprising freebooters, yet one avenue remained open, which he could not shut. This was the river Thames, thro' which the Danes were always sure of a free access to his dominions so long as their brethren remained in possession of London. He therefore turned his victorious arms against that city, which he took A. D. 886, fortified and embellished, and put it into the hands of his son-in-law Ethelred, whom on this occasion he invested with the dignity of earl of Mercia†.

This year all the English took an oath of fidelity to Alfred, who was now looked upon as their immediate sovereign; and he now saw himself in possession of a greater extent of territory in Britain than had ever been enjoyed by any of his predecessors. His friendship and protection were universally courted. The princes of South Wales had submitted to him long before, and Anrwd, eldest son of Roderic the Great, and prince of Wales, waited on him with the tender of his homage; offering to hold his principality of him by the same tenure as Ethelred did Mercia. The Northumbrians also, left without an head by the death of their general Haldane, applied to him to give them a king; he accordingly put over them Guthered, of Danish race, but a Saxon by birth, and a Christian.

Having thus attained to the meridian of power and glory, and having no enemy to disturb the quiet of his reign, he turned his thoughts to the cultivating the arts of peace, and to repair the mischiefs that the ravages of the barbarous Danes had done to his country. He also appointed London as the place of the assembly of the states of the nation, thereby making that city the metropolis of England. He invited artificers and manufacturers of all kinds to come from foreign parts and settle in his country, to whom he proved an indulgent patron, and a munificent benefactor. In fine, he employed himself, during the intervals of peace, in improving and polishing his subjects. His laws were mild, but strictly enforced. He was the first who settled juries, divided England into shires and counties, and encouraged the spirit of trade among his subjects. To him likewise is owing the original of doomsday-book, so famous in our histories. We are told, that he lent ships and money to certain learned and enterprising men, who made a voyage as far as Alexandria in Egypt, and from thence, passing the Isthmus of Suez, traded in the Persian gulph. He established militias, erected several councils, and introduced that good order and regularity throughout his kingdom

* In this year Alfred built the town of Shafesbury, as appears from a manuscript copy of William of Malmesbury, in the possession of lord Burleigh.

† We have no particulars of the manner in which this queen of cities again fell into the hands of Alfred, and indeed the historians of those days are very superficial in their accounts of the progress of Alfred's arms; for, notwithstanding that this year abounds with the most bloody and interesting events, yet we find Alfred on a sudden in full possession of

Mercia, repairing his capital in the neighbourhood of his strongest enemies, and awing Northumberland itself, though then in the possession of the Danes, into submission and respect. All this must have required many labours, and the exertion of many royal virtues, to effect. What a pity is it that particulars, so glorious and interesting to that prince and posterity, should have been passed over in a manner unnoticed! *Guth. Hist. Eng. vol. I. pag. 219.*

which are the never-failing sources of peace and plenty.

It is a very just observation of M. de Voltaire in speaking of this prince, that there never was a truly great man, who was not at the same time a man of understanding and learning. Alfred particularly verifies this remark, being himself the finest scholar and politest gentleman of his age, and consequently the patron and favourer of learning and learned men. With this view he founded the university of Oxford, and sent for a collection of books on all subjects, his people being at that time in a state of the darkest ignorance; inso-much that, as he himself complained, he had not one priest in all his kingdom who understood Latin; as for himself, he was perfect master of it; and some writers pretend that he wrote poems in the Anglo-Saxon language. By a prudent œconomy he had it in his power to be liberal; for we find that he built several churches, monasteries, and other public edifices; but he never gave into the fanatic prodigality of which too many of his predecessors had been guilty, by squandering away those sums upon monkish favourites, and in donations to the all-grasping see of Rome, that in prudence they should have appropriated to the enriching their own dominions, and providing for the wants of their subjects; for this reason it is, in all probability, that we find not the name of this great king in the Catalogue of Saints; but history, that reproaches him neither with crimes nor weakness*, deservedly assigns him the first rank among those heroes who have been the benefactors of mankind, that without such extraordinary personages, would have still continued in a state little better than that of savages.

And here I shall postpone the more circumstantial detail of the several excellent laws and regulations made by this prince, to that part of our work wherein we consider the state of religion, and the laws, manners, and customs, that prevailed during a stated period.

Proceed we now in the order of our narration.

The happiness and peace which the people of England enjoyed under the parental sway of the excellent Alfred, having lasted near eight years without interruption, was at length disturbed by new alarms; for, at the latter end of the year 893, an army of Danes arrived on the coasts of Kent and Sussex in a fleet of two hundred and fifty sail; and, landing near Rye, they seized on the fort of Appledore, while another squadron, under the command of Hastings, sailed up the Thames, landed a body of troops at Milton upon the Wells, in Kent, where they intrenched themselves†, and the two chiefs of the invasion seemed to enter into a contest which should exceed the other in exercising acts of outrage and barbarity on the miserable inhabitants of those places which fell under their respective departments.

Alfred was at this time in East-Anglia, settling the affairs of that country, upon the death of Guthred; but no sooner had he received notice of this invasion, than he with all haste gathered together a body of forces, and marched against the pirates; having previously exacted a renewal

of the oath of fidelity from all his subjects in that province, both English and Danes. Nevertheless, the Danes inhabiting those parts no sooner saw his back turned than they declared for their invading countrymen under Hastings, in hopes of sharing in the plunder, and regardless of the solemn assurances they had so lately given. Alfred, upon this, immediately directed his route into Kent, in order to prevent their junction; and the Danes, finding themselves disappointed in their expectations that the whole of the East-Anglian kingdom would join them on their arrival, sent their fleet to the Isle of Mersey; and secure in the superiority of their forces, which greatly out-numbered those of the English under Alfred, they fell to plundering the country.

Thus they passed the winter, and in the spring of 894, Alfred advanced against them, in person, at the head of his troops, and coming up with their main army, which was encamped at Appledore, they began an hasty march to get on board their ships in the Thames, which were to meet and waft them over into Essex; but Alfred, too vigilant to let them execute their schemes without opposition, intercepted them at Farnham in Surry, gave them a total defeat, and took all their baggage. Such as escaped the fate of the day made the best of their way for their fleet, which carried them up the Colne, and landing, they fortified themselves at Bricklesey in Essex. On the other hand Hastings, who had quitted his fort at Milton, intrenched himself at Beamesfleet, near the isle of Canvey, in the same county.

Whilst Alfred was employed as above, advice was brought him that the Danes in Northumberland had revolted and fitted out a fleet of one hundred and forty ships, with which they were ravaging the northern and southern coasts, and that one of their squadrons, consisting of forty sail, had landed in Devonshire, and laid siege to Exeter.

The king, alarmed at this news, put himself at the head of a chosen body of troops, leaving the rest of his army to carry on the siege of Mersey, and making hasty marches, came upon the Danes of unexpectedly, that, struck with a panic, they fled to their ships, sending all the plunder they had gotten in the country, to Chichester in Sussex, upon which they made a fruitless attempt, and then sailed to Beamesfleet, and joining Hastings, who, encouraged at Alfred's absence, ravaged all the lands belonging to him in Mercia. The troops which the king had left in London for the security of that place and the neighbouring country, taking advantage of the Danish general being absent on his incursions in the Mercian district, suddenly attacked Beamesfleet, and carried the place by storm, in which they found Hastings's wife and his two sons who had been lately baptized. These they made prisoners, and sent to Alfred, who, with a greatness of soul unparalleled in those times, and that might serve as an example, even for these more enlightened ages, returned them to Hastings with this message, "That he did not make war upon women and Christians." Hastings returning from his pillaging expedition, gave all over for lost, and once more sued for peace, which Alfred,

* Unless it be that of suffering himself to be so often imposed upon by the Pagans, under the pretence of conversion, and the sanction of oaths.

† Here they erected a very strong fort, called Kelmisley Castle, on Kelmisley Downs, not far from Sillingarne.

with a clemency almost unpardonable, if viewed in a political light, granted him, on his giving fresh hostages for his fidelity for the time to come.

Hastings, with the true spirit of a Dane, observed those conditions no longer than till it was his interest to infringe them; for soon after he fortified Shoebury, in the hundreds of Essex, from whence, being joined by forces out of Northumberland, he passed the Thames, and pursued his march as far as the banks of the Severn: against him marched three of Alfred's generals with a pretty strong army, still further reinforced by a body of the Welch, who were exasperated at seeing their country made the seat of desolation by these barbarians. The English army came upon the Danes at a place called Badington in Montgomeryshire, besieged them in their entrenchments, and reduced them to such an extremity of famine, that actuated by despair, they resolved to make a last effort, and strive to force their way through the besiegers; in this attempt they were dispersed and slaughtered in great numbers, some however were fortunate enough to escape into the woody parts of the country, where they remained till a change of fortune should bring them to their usual occupation.

Another part of them got to the fortifications which Hastings had erected at Beamesfleet, which they now repaired; then, being joined by their countrymen from East Anglia and Northumberland, they turned westward, and, having found means to elude the pursuit of the king's forces, got to Chester, where they intrenched themselves, and passed the winter, subsisting by such plunder as they could make in the adjacent country.

Early in the following spring, A. D. 896*, they retired into the Northumbrian territories, and from thence got back again into East Anglia, and seized on a small island, called Merseg, or Mersey. They afterwards took post at Hertford, on the Ley, up which river they drew their ships; and, having erected two small forts, bid defiance to the attempts of the Londoners to dislodge them. But Alfred, who was ever to be the guardian genius and deliverer of his country, fell upon a stratagem to distress them, by turning the course of the stream, so that their vessels were left on dry ground. The pagans were now struck with astonishment and dismay, and quitting their ships and camp, fled with all haste towards the Severn, and fortified themselves at Quatbridge†. Thither Alfred pursued them; when, finding themselves thus hunted and destroyed, they resolved, in a fit of despair, to abandon a country, in which they found no hopes of being able to maintain a footing so long as it was under the government of such an experienced, warlike, and active prince as Alfred. Accordingly, having found an opportunity of retiring into Northumberland, where their friends furnished them with shipping, they embarked and went back to Normandy, A. D. 896, in a wretched plight, after three years of fruitless

endeavours to make themselves masters of this island.

Alfred, being rid of these troublesome enemies, found little or no difficulty in reducing the rebellious Northumbrians and East Angles, whom he now took under his own immediate rule, not chusing any longer to trust the government of those people in the hands of a substitute or vassal king. Matters being thus settled upon a peaceable footing in all parts of his dominions, he began to take such measures as might secure them from any future attacks of the Danes, and even render the return of those pirates impracticable. With this view he determined to acquire the mastery at sea.

In prosecuting this intention, he was fully sensible that the superiority of numbers would be always against him; but his genius, ever fruitful in resources, suggested to him a method of surmounting this difficulty, which would have thrown the damp of despair over a mind less formed for great actions than that of Alfred. He had made the art of ship-building his study, as well from natural inclination as the necessities of state, and from having carefully attended to the manner in which the Danish vessels were constructed, he improved their own invention against them, and ordered a number of galleys to be built with all expedition, of a greater bulk, swifter in sailing, and loftier than those of the Danes, some of them carrying sixty rowers.

The very year that his ships were built, viz. A. D. 897, he had occasion to order nine of them upon service against a squadron of Danish pirates that infested the coasts of Dorsetshire and Hampshire. On this occasion there followed a sharp encounter between the two fleets, in which the Danes met with a total defeat; and the king ordered such of the crews who were made prisoners to be hanged along the sea-coasts, as a terror to the rest of their faithless countrymen.

A. D. 899, or 900, according to some authors, died this truly excellent prince, after a reign of twenty-nine years and an half, and in the fifty-second year‡ of his age, and was interred at Winchester, leaving behind him the most perfect character recorded in history, and such as hath deservedly procured him among foreign writers, as well as our own, the glorious appellation of GREAT.

Alfred had five children by his wife Elfwitha, daughter to earl Ethelred, two of which were sons, and the other were daughters, of these Edward, the eldest, succeeded him on the throne. His second son Ethelward, the youngest of all his children, was bred a scholar. His eldest daughter Ethelfleda was married to Ethelred, earl of Mercia; she was a woman of a spirit superior to what is generally found in her sex, and inherited such a portion of her father's virtues, as enabled her to be of great assistance to her brother Edward. Alfred's second daughter, named Ethelgiva, was abbess of the monastery he founded in the Isle of Athelney.

* The confused manner in which the old historians have huddled together the accounts of these times, both with regard to facts and chronology, have rendered it extremely difficult for us to observe any uniformity in our relation. We have, however, endeavoured to keep as close to verisimilitude as possible, and to deliver that verisimilitude with as much perspicuity as the nature of the subject would admit.

† Probably the town now called Bridgenorth.

‡ On the sixth day of October. The Saxon Chronicle and Florentius place his death in 899; but as they agree that he reigned twenty-nine years and a half, and that he began his reign A. D. 871, as Assef also allows, whose authority is unexceptionable, it is clear that this fatal event must have happened in 900.

His youngest daughter, named Elfrida, or Ethelwith, married Baldwin, earl of Flanders.

EDWARD; or, The ELDER, A. D. 900.

SO called as being the first king of England of that name, and to distinguish him from Edward the Confessor. Upon the demise of his father he was anointed king at Kingston, by Plegmond, archbishop of Canterbury, and notwithstanding his right of primogeniture, he underwent the ceremony of a formal election by all the chief men of the kingdom, and, in consequence thereof, was invested with the regalia at the place above-mentioned.

Edward, though inferior to his father Alfred, in learning and other talents, did by no means fall short of him in military skill, insomuch that he never lost a battle wherein he was engaged in person.

The very first moments of his reign were disturbed by domestic contentions; for Ethelwald, the son of his uncle Ethelbert, elder brother to Alfred, set up a counterclaim to the crown, on pretexts of consanguinity, and found means to get together a party in his favour, and seized upon Winburn in Dorsetshire, and Tweoneham* in Hampshire. Edward was employed in reviewing the several fortifications of the kingdom, when advice was brought him of his cousin's insurrection. Upon which he, in all haste, assembles an army, advances against Ethelwald, and pitches his camp within two miles of Winburn†. Ethelwald, after some faint shew of standing his ground, but in reality dreading the superior force of Edward's army, made his escape privately in the night, and took refuge with the Danes in Northumberland, leaving behind him his wife, together with his friends and adherents, whom he abandoned to the mercy of the king.

The Danes, being no longer overawed by the superior power and abilities of Alfred, rejoiced in this opportunity of shaking off the Saxon yoke, and as in all probability they had at first excited Ethelwald to this act of rebellion; they now received him with open arms, and even acknowledged him as king, and their example was followed by their countrymen of East Anglia.

Edward, though much alarmed at this event, was nevertheless too great a warrior to pass over any of the necessary precautions on such an occasion, and after having put all the fortifications in a proper state of defence, he marched northward, and with so great expedition, that the Danes, struck with astonishment, and finding themselves in no condition to resist his army, which had been greatly increased on its march by the inhabitants of the places through which it passed, who were still warmly attached to the family of their late common parent, Alfred; the Danes, I say, finding themselves unable to cope with the superior

force Edward was bringing against them, endeavoured to avert the chastisement which they thought justly awaited them, by obliging the pretender they had so lately protected to quit their country.

Edward, however, was not to be so easily pacified by this shew of submission, extorted only by approaching danger: he justly resolved to punish the perfidious Danes for their breach of allegiance, and to make them severely repent the having espoused a cause they were no better able to defend. Accordingly he over-run the whole country of Mercia, reducing many of the Danish strong holds, which he kept in his possession as the surest pledges of the peaceable behaviour of the inhabitants.

About this time, viz. A.D. 904, Elsted, the king's sister, who was married to Ethelred earl of Mercia, signalized her courage at the head of her husband's troops, and was of great service to Edward in making head against the Danes of Mercia, and preventing the Welsh from joining them‡. But it would be doing great injustice to this noble amazon, not to take notice that she was no less remarkable for her wisdom than her courage, and that she assisted her royal brother, as much by her councils as by her arms, not to mention that she built several towns and exercised many other acts of public utility.

Ethelwald, after being driven out of Mercia, had been obliged to retire into Normandy, from whence returning the next year with a body of forces, the East Angles were prevailed on to declare in his favour.

A. D. 905, having assembled a considerable body, he made incursions into Oxford and Gloucestershires, passed the Thames at Cricklade in Wilts, and ravaged the adjacent country; but Edward, having gotten together a sufficient force, he prepared to revenge these insults of the invader, and marching into East Anglia, laid waste all the borders of that country; and advanced as far as Badenstoke in Wiltshire. Ethelwald, on his approach, retired before him, probably with a view to draw him into a pursuit that might have weakened his army, and thereby have enabled the rebels to give him battle with a prospect of success. Edward however would not be thus lured, but retreated with the main body of his army. A body of Kentishmen, who staid behind to gather plunder, notwithstanding the king's repeated orders sent to them to march up and join the army, were surrounded and cut to pieces by the Danes; but the latter payed dearly for this glimmering of success, their king Eric or Eornric || being left dead on the field of battle, together with the pretender Ethelwald, in support of whose claim they had taken up arms. The royalists lost Eadwald, the king's thane, Earnwulf the abbot, the earls Sigulf and Sigelm, and several other persons of distinction. This battle, or rather skirmish was fought near Bury.

The Danes, finding their hopes of raising any

* Now Christ Church.

† At a place now called Badbury.

‡ This lady, having suffered a very dangerous and difficult labour, would never afterwards admit the embraces of her husband; but, throwing aside the weakness of her sex, dedicated herself to the exercise of arms, and, on account of her many gallant exploits, was distinguished by the name of King Elsted, as appears from Huntingdon's verses to her memory:

Tu regina potens rexque.

|| There is some doubt who this king of the Danes, Eric, was. It is most probable that he was the Danish prince of East-Anglia, and acted as a general in the expedition, since William of Malmesbury places his death about this time to the account of the English, who were exasperated at his government. In this same year 905 Elfwita, the queen-mother of England, died.

considerable commotions among the West Saxons, totally destroyed by the fall of Ethelwald, they not long after were glad to sue for peace; for in 907, we find Edward concluding a treaty with them at Ickford in Buckinghamshire*.

But the Danes, who, as we have already shewn in several instances, were to be bound by no oaths or treaties, broke this peace in the year 910; and the Northumbrians, being joined by their countrymen of Derby, Nottingham, Leicester, Lincoln, and Stamford, continued their depredations, and ravaged the adjacent country; at which Edward was so incensed, that he sent an army of West Saxons and Mercians into Northumberland, with orders to let loose the fury of the sword without mercy upon these restless infringers of domestic peace. His orders were obeyed with the most cruel exactness, and for forty days his troops killed and made prisoners all the Danes that came in their way. Edward, at the same time, ordered his fleet, consisting of an hundred sail, to put to sea, and infest their coasts to the south-east. Upon the knowledge of this formidable armament, the Danes rashly concluded that the king had put the greatest part of his military force on board, and that consequently his dominions were left unguarded and might be made the prey of a sudden and vigorous invasion. Buoyed up with these false hopes, and elated with the prospect of a certain and rich plunder, they entered his territories with a powerful force, and for a while ravaged the country undisturbed. At length, having made a great booty, they were on their march back overtaken by an army of Mercians and West Saxons near Tetenhall, in Staffordshire, by whom they were routed with great slaughter, leaving all their plunder behind them as a prey to the conquerors.

The next year, 913, Edward lost a faithful and useful adherent in Ethelred, count of Mercia, who died, leaving his widow Elfleda to assume the reins of government, which she managed with great ability and success. By some private convention, London and Oxford now fell into the hands of king Edward. The first care of the gallant countess of Mercia was to fortify the principal cities in her dominions, in order to secure them from the incursions of the Danes†. After having taken these wise and necessary precautions, she turned her arms against the Welsh, in revenge for the loss her husband had sustained from that people, over whom she gained several victories, and took the towns of Brecknock and Derby sword in hand, in the former of which she made prisoner the wife of one of their kings.

While she was thus employed her brother Edward rebuilt the town of Hereford, A. D. 914, which had been destroyed by the Danes; and being sensible that numbers of his subjects, who would willingly return to their allegiance to his family, could they be assured of protection from the power of their neighbours the Danes, on whom they stood in great awe, he for this purpose, in the

spring of the year 915, marched with a numerous army to Witham, in Essex, which he fortified. Hither many of the English, who were before under the Danish government, resorted, and put themselves under his protection.

The years 915 and 916 passed without any commotions being raised by the Danes; and Edward, copying the example of his great father Alfred, employed this interval of peace in works of public utility, and the propagation of arts: among others, he distinguished the school of Cambridge by erecting it into an university, as his predecessor Alfred had done that of Oxford.

But this calm was not of long continuation; for A. D. 917 the Danes, who could never remain quiet for any length of time, marched a body of cavalry into Oxfordshire, where they surprised a detachment of Edward's troops at Oaknorton, and defeated them; returning home loaded with plunder. Another party, encouraged by the success of their brethren, marched to Leighton, in Bedfordshire; but here they met with so warm a reception, that most of them were killed, and their plunder, together with all their horses, fell into the hands of the English. These incursions put Edward upon fortifying Buckingham, Towcester, and Bedford; upon which earl Thurketyll submitted, with the Danes under his command, to Edward, and went with such as would follow him into France.

A. D. 918 was ushered in with a storm that foreboded as many dreadful consequences to England as it had ever yet experienced. The Danes on the continent had now increased to such numbers, that there were no longer found places to contain them; so that an emigration was become unavoidable. The swarm, as usual, lighted on this island, the sweets of whose soil and situation they had already experienced: a numerous body from the southern coast of Brittany, under the command of two leaders, Otar and Rohault, enter the mouth of the Severn, and fall to plundering the Welsh and English coasts, and in the course of their ravages carry off prisoner Cumeleac, bishop of Erchenfield in Herefordshire, favourite of king Edward, who afterwards ransomed him for forty pounds; and, being greatly alarmed at this formidable invasion, ordered the militia of Herefordshire and Gloucestershire to summon all their forces to oppose the enemy's further progress, which they did with so great courage and success, that in a battle to which they compelled them, they totally routed their army, and drove them into a wood. Rohault and Otar's brother were slain in the engagement. The Danes pent up in the wood, and finding no way to escape, had recourse to their usual artifice of oaths and hostages for their speedy quitting the kingdom. Being released upon these conditions, they immediately embarked on board their ships, but it was only to recruit their shattered forces; which having done, they stole ashore again under covert

* Historians differ greatly in regard to this event. Simeon of Durham says, that Edward was forced to make peace; Speed and Hollingshead give it the name of truce only; and that the loss Edward's army had sustained made that prince more ready to enter into it. Florence, Tyrrel, and Milton, leave this point undecided. Rapin, Carte, and Smollet, say that the Danes sued for peace. Carte brings for his authority Paroch Antiq. pag. 39, and the Saxon Chronicles. Upon

the whole, it appears most probable, that the overtures were on the part of the Danes, who, by the death of their king or general, Eric, and of Ethelwald, who had stirred up the rebellion, were left without an head.

† The towns she thus fortified were Chester, Eddesbury, and Runkhorn, in Cheshire; Cherbury and Bridgenorth, in Shropshire; Weddinborough and Tamworth, in Staffordshire; as also Warwick.

of the night; and dividing themselves into two bodies, the one advanced to Watchet in Somersetshire, and the other to Portlock-Bay, in the same county, where they recommenced their customary depredations. But this fresh instance of their perfidy met with its condign punishment; for Edward, who had cantoned a strong body of forces from the south of the Severn's Mouth, and from the west of Wales towards the east as far as the river Avon, to prevent all future accidents, now reaped the fruits of so prudent a precaution. His troops fell upon the barbarians on all sides, and few of them escaped alive to their ships. Unappalled by any check, and regardless of all difficulties, whenever plunder was in view, they laid siege to a small island, named Sheepholme, in the mouth of the Severn; but failing in their expectations, either through the poverty of the place, or the courageous resistance of the inhabitants, famine began to make a cruel havock among such of them as had escaped the fury of the sword. The few who survived the attacks of this most formidable of all enemies sailed round to the south coast of Wales, from whence they passed over into Ireland.

But the success of Edward's arms was more than counter-balanced by the loss of that excellent lady his sister Elfreda, who died this year at Tamworth; a pattern of virtue and prudence, and of a courage superior to her sex, and in every respect a daughter worthy the great Alfred.

The death of this princess overwhelmed Edward with a sincere grief for some time: nevertheless, he found his domain greatly enlarged and strengthened thereby; for, immediately on the countess's demise, he seized upon all Mercia, to which step he was more particularly induced on having certain information that her daughter Elfwina was privately treating of a marriage with Reginald, king of the Danes; a circumstance which, abstracted from political considerations, could not but be highly offensive to Edward, who had been left the sole guardian of this young lady by the last will of her mother Elfreda: he therefore boldly marched an army into the Mercian territories, declared himself guardian of the kingdom, obliged the inhabitants to take an oath of allegiance to himself, and carried the young lady back with him into his own dominions.

Nor were the Danes the only people whom Edward had reason to be apprehensive of at this time; for we find one Griffith ap Madoc, brother-in-law to the prince of West Wales, together with Leofred, a Dane, landing in the year 920*, with an Irish army in Wales with a design to make the conquest of that country. Here they met with no resistance, but advanced as far as Chester before Edward was in a condition to oppose their progress; but, having at length got together his forces, he divided them into two separate bodies; one of which he led in person against the invaders, whom he overtook at Sherwood, where a desperate battle ensued, and Edward himself was in great danger of being taken, had not he been timely relieved by his son Athelstan, who hearing that the king's division was furiously attacked, and

he himself on the point of falling into the hands of the enemy, flew to the spot, fell upon Leofred, who directed the attack against his father, and gave the Dane so desperate a wound in the arm, that he dropped his spear, and surrendered himself prisoner to the gallant young prince.

Edward's other division proved equally successful against Griffith, the Welsh prince, who lost his life in the fight. But Edward sullied all the glory of this success by inhumanly ordering the head of Leofred, the Irish chief, to be struck off in cold blood, which, together with that of Griffith, which had been also brought him, were set upon the top of the Tower of Chester. Probably this act, which appears so meanly inhuman to us in these more civilized times, might have been considered by Edward as a just retaliation on lawless invaders, and a warrantable precaution to strike terror into the Danes, whom he looked upon as no better than pirates, and the Welsh as rebels to the allegiance they owed. The more effectually to restrain the former, he built several strong holds on their frontiers; and, amongst others, Wigmore in Herefordshire, and Tocester in Northamptonshire; but the Danes of this last county and of Leicestershire looking upon these curbs with an evil eye, they suddenly broke the peace, and made an attempt upon Tocester, in which they were repulsed with considerable loss. They then laid the country under contribution; but being pursued in their retreat, they were defeated at the forest of Bernwood and Ailesbury. These commotions served only as the prelude to a more general insurrection; for all the Danes inhabiting the environs of Huntingdon and East-Anglia took up arms, and openly revolted; and, in imitation of Edward, built a fort at Thamesford, in Bedfordshire, at the conflux of the rivers Ival and Ouse: from hence they made incursions into the country, which they ravaged with their usual barbarity.

Edward, incensed at these ravages, ordered their new fort at Thamesford to be besieged, which was carried by storm, and the Danish king, with several of their nobles, and all that were found in the place, were put to the sword. The loss of this fort gave a fatal blow to the Danish affairs in England, and so animated the English, that they laid siege to Colchester, carried the place after a short resistance, and sacking the town, put to death all the Danes they found therein. This severity exasperated the rebels to such a degree, that the same year the insurrection became general. They invested Malden; but a body of the king's forces coming to its assistance, the Danes were obliged to raise the siege; and in their retreat were fallen upon by the English, who put them to flight, and killed great numbers of them. In this expedition the East Anglian Danes had been joined by a great number of English pirates, who had landed upon their coasts.

Disheartened at length with such repeated losses, they once more resolved to throw themselves upon the mercy of the English king, and accordingly earl Thurtfurth, and the chief leaders of the Danish forces of Southampton, made their submission,

* At Snowdon, in Caernarvonshire.

and took an oath of allegiance to Edward, in which they were followed by the Danish army, lying at Huntingdon.

But however great might be the check which the Danes had met with to the southward, their brethren in the north still maintained their footing, and occupied considerable territories in Northumberland, and a great way into Scotland. The Scots had been successively governed by two politic princes, Gregory and Donald, who were too well acquainted with the real interests of their country ever to enter into a league with the Danes. The former of these princes had been a very useful and faithful ally to Edward's father, Alfred. Donald, his successor, had likewise furnished that monarch with an army in his wars against the Danes. But Constantine III. who succeeded these two princes on the Scottish throne, and who was greatly inferior to them in abilities, had suffered himself to be drawn into an alliance with the general enemy: but this league was of short duration; for, in less than a year and an half, a favourable opportunity offering for the Danes to make their peace with the English, they abandoned their new allies the Scots.

It was about this period, viz. in the year 921, that Edward, having subdued all the southern Danes, his name became so formidable to those inhabiting the northern parts of this island, that they once more had recourse to the Scots, using all the persuasions they could devise to wheedle them into a second alliance with them against the English, whom they represented as powerful and over-reaching neighbours.

The Scottish king, imposed on by the artful insinuations of the Danes, or, (what seems most probable) corrupted by their money, came into their proposal, and sent his son Malcolm, the prince royal of Scotland, with a powerful army to assist the barbarians. The gallant Athelstan was at that time at the head of the English forces in the north, but in too weak a condition to oppose the invaders with any hope of success; he therefore found himself necessitated to act altogether upon the defensive, till he might happily find some favourable opportunity to engage them. It was not long before one offered; for the prince of Scotland, attacking the English army with great fury, the latter, agreeable to the dispositions, previously concerted by Athelstan, made a feint of retreating, upon which the Danes and Scots, instead of pursuing them, fell to pillaging their camp. Athelstan, who kept a watchful eye on their motions, no sooner beheld them dispersed here and there, in search of plunder, than he rallied his forces, and attacking the stragglers loaded with plunder, he put them to rout with incredible slaughter. After this victory he marched into Cumberland and Westmoreland, which he reduced, and then returned to Northampton.

A. D. 923, Edward marched to Stamford, which surrendered upon his first appearance, and he fortified it by a strong fort, which he raised on the south-side of the river Weland. Having also made

himself master of Mercia, he fortified Nottingham, and marched to the Peak of Derby, where he erected a fort at Bakewell. All the inhabitants of these parts having sworn allegiance to him, he directed his march westward, and received the submission of Howel, Cledwe, and Jeothwell, the three princes of North Wales.

Edward's care seems to have been less directed to the making sudden conquests, than to the rendering them sure and lasting; he therefore provided for the safety of these provinces, by erecting a fortress at Thelwal*, on the Mersey, and another at Manchester†, and then turned northward to complete the entire conquest of England.

In this year, 923, we find the city of York in the possession of the Danish king Regende; but the particulars of this acquisition we are not made acquainted with‡.

The terror of Edward's arms now flew every where before him. Sidric and Regenald, kings of the Northumbrian Danes, together with the princes of the Cumbrian and Strathcluid Britons, with all the petty princes and states of Galloway, implored his protection, while the Scots, after their late defeat, were glad to purchase peace; and their king consented to hold his dominions in vassalage of the crown of England.

Edward had now attained the utmost summit of human glory; he was dreaded by his enemies, respected by his allies, and beloved by his own subjects. He had reduced the whole kingdom of England and principality of Wales to his obedience, and had triumphed over the haughty Scots, those early enemies to the peace and glory of England. Nothing now remained for him to do, but to secure, by wise and prudent regulations, those conquests which he had acquired by his military skill and prowess. Accordingly we find him governing his people with a mild and equitable sway, till death terminated the career of his glory with his life, in the year 925, after having sat on the throne twenty-four years.

If we take a retrospect of this prince's character and conduct, we shall find him very little inferior to his father Alfred. That great prince had retrieved the independency of the nation, and by his superior abilities had awed the Danes into obedience; but nature did not allow him sufficient time to perfect the great works he had begun. And no sooner were his eyes closed, than perfidy and rebellion, freed from their apprehensions, stalked boldly through the land. His son Edward, however, by his personal valour, in which he fell nothing short of his father, so effectually humbled the invaders of his country, and seconded so well the wise police and regulation which his predecessor had laid down, that had those princes who followed after him walked in his steps, England would never have experienced the unhappy turn in affairs which it did afterwards. If Alfred embellished and beautified the kingdom, Edward fortified it. If Alfred was respected by his neighbours, and was the darling of his subjects, Edward was no less so; and closely copying the example of his great pro-

* Tirrell supposes the name of this place to be derived from *Thæl*, in the Saxon language the body of a tree, because it was at first surrounded with a sort of rampart made of the bodies of trees.

† The annotator of Milton's History, and with him some other historians, suppose this to be a mistake; but Higden,

who is a very judicious author, corroborates it in the following words: "Inde transiens aquam mensæ instauravit urbem *Maencestra* quæ est in australibus finibus Northambrorum."

‡ Simeon of Durham places this event A. D. 919, and attributes it to a Danish prince, named Ingwal.

genitor, he employed his thoughts in the intervals of peace, to promote domestic harmony and happiness. His laws were those of a prince who was the professed foe to injustice or oppression. One regulation which he made with regard to servants, merits particular notice, and may serve as an example even in these days of refinement and superior knowledge. "If a servant commit theft, the person that has given him a character shall be responsible for his crime, and be obliged to become his security."

In private life his character was peculiarly amiable and highly worthy of imitation; and the plan he observed in the education of his children, was as praise-worthy as it is uncommon. His daughters employed their leisure hours in such branches of learning as were best suited to improve their minds, and at other times exercised their distaff, or amused themselves with their needles. Accordingly we find Edward's alliance courted by the most respectable foreign potentates. As to his sons, they were so accustomed to study, that they were masters of every useful science, and fitted to fill a throne with dignity and applause. In a word, whether we consider Edward as a king, or a private man, we shall find few characters less exceptionable*.

Edward had issue as follows: by Egwynnea, his first wife, he had two sons, Alfred, who died before him, and Athelstan†, and a daughter named Edgytha; by his second wife Elfleda, daughter of earl Elfhelm, he had Ethelwold, who died about the same time with his father, and Edwin, the time and manner of whose death is uncertain. He had also six daughters by his second marriage, two of which lived and died single, though only one of them turned nun; the other four were married, to Charles the Simple, and Hugh Capet, kings of France; the emperor Otho 1. and a duke, whose territories lay near the Alps. By Edgiva, his third wife, he had Edmund and Edred, who afterwards reigned, and two daughters, the eldest of whom retired to a cloister, and the other was married to Lewis, prince of Guienne‡.

A T H E L S T A N, A. D. 925.

EDWARD was succeeded in his throne by his eldest son Athelstan, who was crowned by Athelen, archbishop of Canterbury, at Kingston upon Thames; but, previous to this ceremony, he had, after the example of his father Edward, submitted his right to a formal election by the people||.

Soon after his accession some discontented nobles, who pretended to call his legitimacy in question, and were also fonder of the other children of Edward, entered into a conspiracy to dethrone him. The chief of the conspirators, whose name was Alfred, had formed a plot to seize upon the person of the king at Winchester, and to have put out his eyes. Athelstan, having come to the knowledge of the design hatched against him, gave orders for seizing the conspirator; but, for want of sufficient proof of his guilt, the king, in his great lenity, consented to his undertaking a journey to Rome, in order to purge himself, by oath, at St. Peter's shrine, and in presence of the pope. Alfred accordingly was sent thither; but, whether from remorse of conscience, the fatigue of the journey, or some other cause, he was suddenly seized with a fit as he was walking up to the altar, and fell down speechless, upon which he was carried to the English school, where he died three days after in great agonies. The pope (at that time John X.) considered his sudden death as a punishment inflicted on him by the hand of heaven for his guilt, and in this belief refused his body the rites of sepulchre, until such time as he should know Athelstan's pleasure on that head. The humane prince, when he was informed of the shocking catastrophe which had befallen the wretch, disdained to carry his resentment beyond the limits of life, and therefore, with the consent of his council, desired that he might have the usual interment; but his estates were confiscated to the king, who bestowed them on the monastery of Malmesbury.

* As an instance of the great mildness and humility of this prince, we offer to our readers the following anecdote, related by Walter Nape, in his *Nugis Curialium*, in MS. "When Edward the Elder came to Austelen (probably the place we now call Aust, where is a ferry to pass out of Somersetshire into Wales), Lewellyn prince of North Wales came to Bethesda to treat about a peace, he refused first to cross the Severn, which, when king Edward heard, he took boat, and rowed towards him; but the prince, who was then by the water-side, when he saw and knew who he was, cast off the rich robe he then had on (and which he had prepared purposely for the meeting); and entering the river breast high, and taking hold of the end of the boat, submissively said: 'Most sage king, thy humility hath overcome my insolence, and thy wisdom triumphed over my folly; come, pray Sir, get upon this neck, which I (like a fool as I am) have lifted up against thee, and thus enter that land which thy benign clemency hath this day made thine own.' So taking the king upon his shoulders, and setting him on shore, he made him to sit down upon his own royal robe; and putting his own hands between the king's there did him homage."

† The story of Athelstan's birth is thus told by Brompton: "In the reign of king Alfred, when his son Edward was young, there was, in a village of the West Saxons, the daughter of a certain shepherd, called Egwynnea, who, falling asleep, dreamed that the moon shone out of her womb so bright, that all England was enlightened with her splendor. This dream she told to a grave matron that had been nurse to several of the king's children. Upon this, she takes her into her house, and educates her as carefully as if she had been her own daughter, teaching her so to demean herself as might be becoming a person of birth and breeding. In process of time, it happened that prince Edward, the king's eldest son,

passing upon some occasion through this town, thought himself obliged, in honour and good nature, to visit his nurse. Here he got a sight of this maid; and she being exceedingly beautiful, he fell passionately in love with her, and by his violent importunity got her consent to lie with him, and by one night's lodging proved with child; and being afterwards delivered of a son, in respect to the mother's dream, the father gave him the name of Athelstan, which signifies the most noble."—From this story, and on account of her being a shepherd's daughter, several authors will have it that Egwynnea was only concubine to Edward: but Brompton himself, who gives us the story of the father's amour, speaking of the rest of Edward's children, says, "*Ex aliâ uxore tuâ genuit Edvinum*;" that is, He had Edwin by another wife, which is a direct testimony that Edward was married to Athelstan's mother; and notwithstanding that Simon of Durham says, "by a most noble lady he had his eldest son Athelstan, but by his queen Edgiva he had three sons." These words rather confirm than refute the legitimacy of Athelstan's birth; for his mother dying before his father was made king, though she was his wife, she could not properly be styled his queen; and she could not have acquired the title of most noble lady, unless by marriage, because she was by birth only a shepherd's daughter. To this we may add the great care taken of his education by Alfred, and his knighting him; strong proofs that he was not esteemed a bastard.

‡ Hist. Major. Winton,

|| The Cottonian MS says, *electus est in regem*. See also Huntingdon and William of Malmesbury, which latter expresses himself thus: "After being chosen by a majority of nobles, he was crowned at Kingston." But this is by no means to be taken as an argument against the hereditary right of English kings.

This dangerous conspiracy was scarcely suppressed when a fresh storm broke out in the north. The Danes, whose submission had been only the effect of compulsion, thought this a favourable juncture for resuming their former independency, not doubting that they should be joined by the discontented party in Athelstan's dominions. With these hopes they took up arms, being headed by their kings Sithric and Ingwald, and surprised the city of York.

As soon as Athelstan was informed of this insurrection, he marched against the rebels with such expedition, that Sithric, the king of Northumberland, not having time to make any preparations for the defence of his country, was glad to sue for peace, which Athelstan, with a clemency, that even bordered upon weakness, not only immediately granted, but thinking to secure the Dane's fidelity, and attach him to his person, he bestowed his sister Edgitha on him in marriage, on condition that he himself would embrace the Christian faith, and moreover permitted him to take the title of king, giving him all that extent of country from the river Tees to Edinburgh, known formerly by the name of Bernicia: but the death of Sithric, who survived his nuptials only a few months, rendered abortive all the salutary effects which Athelstan hoped to gather from his extreme condescension. The Scotch writers, with that implacable malice which they ever shew towards those who have either the spirit to resist their encroachments and the good fortune to humble their pride, have most cruelly and unjustly attributed the death of Sithric to poison, which had been given him by his wife, at the instigation of his brother Athelstan; but as they appear to be ignorant of the very name of this lady, whose reputation they thus blacken, and as she bears an exemplary character for piety and virtue, common charity will make us look upon the whole as the offspring of malice and national inveteracy*. But to return.

Immediately upon the death of Sithric, his brother Earnulph endeavoured to make himself master of his dominions, and for that purpose seized on Bamburgh, the capital of his kingdom, but was quickly driven out by Athelstan, who in a short time reduced the whole country, and kept it in his own hands, not being willing to trust it any more to a subordinate king, after so ill an use had been made of his late indulgence. This was highly resented by Guthric (or Guthfrith, as some authors call him), the son of Sithric, who expected to have succeeded his father in his sovereignty, and who was moreover actuated by a spirit of zeal for his old religion, and could not brook the state of vassalage to which Athelstan had reduced his country. He therefore threw off all dependency, assumed the title of king, and, having recourse to arms, seized upon most of the forts in the kingdom, drove out Athelstan's garrisons, and forbade any farther payment of tribute to the English; but on Athelstan's advancing against him with a powerful army†, raised with that expedition which the exigence of the case required, he fled into

Scotland, which Athelstan was no sooner informed of, than he sent deputies to Constantine king of that country, demanding him to surrender him up his enemy, which Constantine refused; and the impartiality of a historian obliges us to say that it was upon very just grounds, since it would have been the highest degree of baseness and treachery to deliver up a prince, who, depending upon the known laws of hospitality, had taken refuge at his court, and put his life into his hands; and it should seem that Athelstan was generous enough to subscribe to these sentiments. Be that as it may, a conference was agreed upon by both kings at Dakers, in Northumberland, where it is probable that the king of Scots promised to give no further protection in his dominions, either to the fugitive prince or his brother Anlaff, who had been the companion of his flight, as he had been of his rebellion. Our English historians are very fond of making Constantine surrender all his territories into the hands of Athelstan, and to give his son as an hostage for his fidelity. This circumstance is related by William of Malmesbury, with the addition of another that carries with it all the marks of improbability. "Athelstan, saith he, upon this occasion, stood god-father to Constantine, whom he had prevailed upon to turn Christian, and who was baptized." But every unprejudiced reader will see the glaring absurdity of this pretended submission, and that it is no more than an idle tale, calculated to flatter a mean, national vanity, at the expence of truth. This however is certain, that during this conference, Guthric escaped into Northumberland, and his brother Anlaff into Ireland. The former, being joined by his friends, made an unsuccessful attempt upon York; after which he retired to his ships, and passed the rest of his days at sea in acts of piracy.

We find that Constantine parted from the interview in some displeasure; and at his return to his own dominions, Anlaff, informed of his discontent, repaired to his court from Ireland, and artfully inflamed his resentment and ambition, by inveighing against the insolence and dangerous power of the English monarch, and representing the practicability of conquering Northumberland by means of the assistance he should be able to bring from Ireland. Constantine readily joined with his proposal, and they immediately set about making the necessary preparations; and in the mean time, by their joint remonstrances, prevailed on Howel king of Wales to make a diversion in their favour. But Athelstan, by his diligence and activity, defeated all their measures; for so soon as he received intelligence of a commotion in Wales, he marched an army into that country, and obtained a complete victory over Howel, whom he punished for his revolt by augmenting the tribute paid to England.

After this victory he marched into Scotland, in order to chastise Constantine for having sent a body of forces to assist Howel. Anlaff having not yet arrived with his reinforcement from Ireland, the Scots were in no condition to make head against

* After the death of her husband, Edgitha returned to her brother, and became a nun at Polesworth, in Warwickshire.

† An old chronicle, left by John Wallingford, saith, that this army consisted not only of his own natural born subjects, but also of aliens. This, if true, was an unusual measure, and

must have been occasioned by the great want of men in England, owing to the havock made by the late wars. Be that as it may, the Chronicles of Normandy expressly mention aids sent from thence on this occasion.

Athelstan's army; so that Constantine was compelled to sue for peace in the most submissive manner. The English monarch complied with his request, and at the same time restored all the places he had taken in the course of this descent, hoping thereby to work upon the mind of Constantine, and detach him from his alliance with the Danes. But here that came to pass which we frequently meet with in the more common events of life: Constantine's haughty soul was offended at the visible superiority which the victor assumed in thus loading him with favours: he could as ill brook the triumph of Athelstan's generosity as of his arms; and no sooner was that prince returned to his own dominions, than he began to treat even with Anlaff, and even formed alliances with the neighbouring states, in order to raise a powerful confederacy against the person to whom he had been lately indebted for his existence as a sovereign. The powers who engaged in this confederacy, were Constantine king of Scotland, Owen king of the Cumbrian Britons, and Anlaff, who, though a Danish prince, having acquired a settlement in Ireland by the success of his arms, is on that account known by the title of The Irish King.

We shall take the interval during the formation of this confederacy to introduce the story of prince Edwin, brother to Athelstan. The fact, as it has passed down to us, is as follows:

Edwin was a young prince that possessed many noble and virtuous accomplishments: but these great qualities, instead of rendering him more dear to his brother Athelstan, awakened in that monarch's breast the most rancorous jealousy. He was sensible that the people, notwithstanding their submissions, were not quite satisfied with regard to the legitimacy of his birth: he remembered that the traitor Alfred had coloured over his rebellion with the pretence of setting Edwin on the throne, as the only lawful heir of the deceased Edward: he saw his dominions threatened by a powerful invasion both from Ireland and Scotland, and was not sure that some secret sparks of Alfred's conspiracy might not lurk in the hearts of his subjects, wanting only the breath of Edwin to blow them into a flame. Full of these ideas, he wished for nothing so much as a favourable opportunity of removing this dangerous competitor in the affections of his people. The virtues of Edwin, and all his professions of respect and loyalty, appeared to him but so many specious arts to disguise the real sentiments of his heart. There wanted not then, any more than in the present times, court sycophants, who were ready to flatter the weakness of their king at the expence of his honour and future happiness. They represented all the actions of the young prince in the most odious light; his humility they called deceit, his respectful behaviour was construed into design, and the act of the most detestable nature was represented as a prudent precaution. Unhappily Athelstan, who on every other occasion displayed many royal virtues, was not proof against the dictates of ambition and the practices of his courtiers, who were incessantly representing, that not only his own welfare, but that

of his people, was endangered by the impunity of Edwin, whom they at length scrupled not to accuse openly of having been an accessory in the late rebellion. In a word, the young prince was tried, and, being found guilty by his suborned judges, was sentenced to be put on board a leaky vessel with no other attendants than his armour-bearer and his page, and in this condition committed to the mercy of the winds and waves. The unfortunate Edwin, unable to support the severity of the weather, the continual prospect of death, and the want of food, desperately threw himself into the sea, and was drowned. It happened that the chief promoter of this iniquitous deed was cup-bearer to Athelstan. One day, as he was serving the king at table, he made a false step and had like to have fallen, but recovered himself suddenly with one foot; upon which he said to the king, who indulged him with much freedom, "See, Sir, how one brother assists the other." Athelstan, struck with these words, which were probably spoken without any meaning, felt all the consciousness of guilt awakened in his soul; and whether he construed this speech of his cup-bearer into a tacit insult, or that he was determined to begin with this incendiary as an atonement to the manes of his murdered brother, he ordered a strict examination to be made into the charge which had been brought against him, when it appeared that he had been falsely accused; upon which Athelstan ordered the cup-bearer to be put to a cruel death, and then he sought to expiate his own guilt by a profusion of penances and benefactions to the church*. Buchanan has improved upon this story, making him guilty not only of fratricide in killing Edwin, and another brother named Edred, but likewise guilty of parricide, in putting his father to death; "because," adds this Scottish historian, "he bears the title of Martyr." However guilty Athelstan might be with respect to Edwin, it is certain that he could not murder Edred; because that prince not only survived, but likewise succeeded him. As for the murder of his father, it is an accusation that betrays either ignorance or malice. Edward, the father of Athelstan, was never called The Martyr, but only Edward the Elder, and he died a natural death†.

It is to be lamented that the memory of so great a prince as Athelstan certainly was, should be stained even with the imputation of so shocking a crime; a crime which appears very irreconcilable with his known affection to his brothers and sisters, which we find recorded by many historians, who declare he lived single purely for their sakes. And as we meet with no instance of Athelstan's jealousy, with respect to his other brothers, though he had as great a cause to be apprehensive of them as of Edwin, charity, and the respect we bear to the other shining qualities of this English monarch, would make us wish that a veil could be drawn over this incident of his life. But, on the other hand, the testimonies of so many historians, who have transmitted this fact to posterity, and which have never as yet been fully refuted, must have their weight; and we fear that all the apologies made will not be able to clear him from

* He did seven years penance, and built the monasteries of Middleton and Michaelnefs, in the county of Dorset.

† Edward the Martyr did not begin his reign till the year

975, about thirty-five years after the elder Edward was in his grave.

having at least connived at the action*. We now resume the thread of our history.

After the death of Edwin, Athelstan received a very splendid embassy from Hugh, king of France, who sent Arnulph, earl of Flanders, in person, to the English court, with many rich presents for the king†, and a commission to demand his sister Ethel-da in marriage. Athelstan gave the earl audience at Abingdon in Berks, having called a public assembly of the states of the kingdom to consider of the French king's proposals, which upon mature consideration were embraced. The ambassador was treated with a magnificence suitable to the greatness of Athelstan's soul, and the dignity of the monarch whom Arnulph represented.

While these things passed at the English court, Athelstan was threatened with a powerful invasion. In the year 938, the Irish, under their king Anlaff, passing over into Scotland, were joined by a great number of the Scots, and embarking on board two hundred and sixteen ships, they landed at the mouth of the Humber, where they were joined by Owen, the petty prince of Cumberland. After this junction, they bent their march northwards, in order to conquer Bernicia for the Scottish king, where they seem to have over-run the whole country before Athelstan took any notice of their landing, whether it was that they conducted their design with such secrecy, or that he purposely connived at it in order to draw them further on. At length, however, having assembled an army, he marched against them with surprising expedition, and at the same time equipped a strong fleet in order to fall upon the ships which had brought them over. The allies had no sooner received advice that he was coming towards them, than they altered their route, and marched directly to meet him.

Both armies came in sight of each other at Winendune near Bromsbury in Northumberland. And now, each side reflecting that the action would prove a decisive one, they lay by awhile, watching each other's motions, and waiting for a favourable opportunity, when the remissness of the adversary might leave an opening for one of those *coups de main*, which frequently over-balance a seeming equality of force. During this pause, there happened an adventure which hath in it something extraordinary, and which we find thus related by W. of Malmesbury.

Anlaff, desirous to discover the situation of the English camp, and the condition of their army before he engaged, and, as some authors say, having formed a design to surprise the person of Athelstan, and put an end to the war, by killing him in the confusion, disguised himself like an harper‡, and found means to be introduced into the royal tent, where he played with so much skill, that the king, who was at dinner with his chief officers, was highly pleased with his performance, and when he had done playing dismissed him with a handsome

reward. Anlaff disdaining to carry away the money, cut a hole in the ground as soon as he came out of the king's tent, and hid the money therein. A soldier who had formerly served under him, seeing him thus employed, and having a suspicion that he might be some other person than what his garb declared him, watched him narrowly, and discovered that it was his former general Anlaff; upon which the man gave notice of the thing to Athelstan, who at first reprimanded him for not having discovered it in time, so as that his enemy might have been apprehended. The soldier alledged in his own excuse, that when in Anlaff's service he had taken an oath to be true to him, and that if he had betrayed his old master on this occasion, the king might with justice have suspected him as capable of the like treachery to himself, if opportunity should offer; but concluded with beseeching his majesty to be upon his guard, and provide for the safety of his royal person, by ordering his tent to be removed to another quarter. Athelstan commended the fidelity of the man, and followed his advice. The place being left vacant by the removal of the tents, was taken up by a bishop and his train, who arrived that evening with a reinforcement of troops, for which the king had waited before he would come to an engagement. Anlaff, in the middle of the night, broke suddenly into the English camp, and making directly to the place where he had observed the king's tent, slew the bishop and all his followers, which giving a general alarm, he was soon obliged to retire.

The next day both armies came to a general engagement. The English were headed by king Athelstan, his brother Edmund, and chancellor Turketyl, general and prime minister to Athelstan. The Scottish troops were commanded by their king Constantine, Anlaff led the Irish forces, the Cumbrian Britons marched under the direction of their petty sovereign Owen, and one Froda was general of the Danish auxiliaries. Athelstan, wisely considering that the foregoing night's attempt on his camp must have greatly fatigued Anlaff and his Irish, began the attack on that quarter which they occupied; and at the head of a chosen body of his trusty West Saxons, fell upon them in their intrenchments, which he forced sword in hand, with great slaughter of the enemy. At the same time Turketyl, marching up at the head of a corps of the London militia, pierced the enemy's ranks, and falling upon the battalions of Scotch highlanders, cut them in pieces. Constantine himself was in the greatest danger, and had it not been for the vigorous efforts his Scots made to rescue him, must inevitably have become the prisoner of Turketyl and his valiant band, whom Ingulf dignifies with the title of heroes, and whose gallant behaviour on this occasion surpassed all praise. The battle lasted from morning till night; victory hovered for a long time dubious; at length she settled on the English standards; and the combined army was

* Henry of Huntingdon, though he mentions the death and virtues of young Edwin, is silent as to the occasion. In speaking of his catastrophe at sea, he mentions it as a *sad accident*; but Matthew Florileg, delivers the whole as an indubitable truth. William of Malmesbury again as roundly contradicts it, and says the whole story was founded only on an old ballad.

† These presents consisted of a curious vessel of onyx carved in the most masterly manner; a golden crown adorned with

diamonds; the sword of Constantine the Great, the hilt of which was curiously overlaid with plates of gold, and adorned with one of the nails with which Christ was fixed to the cross; the banner of Constantine the Great; with several other relics in great estimation in those days of error and superstition.

‡ This stratagem in most of its circumstances bears a strong resemblance to that made use of by Alfred on a like occasion. See page 68 of this volume.

routed with prodigious loss, five Danish kings, and seven generals falling among the slain, and the three chiefs of the confederacy, Constantine, Owen, and Anlaff, with a very small train of followers, escaping to their ships with the utmost difficulty*. Athelstan and his brother Edmund gave distinguishing proofs of their valour in this day's contest, which historians represent to us as the most bloody that had ever been fought in Britain; and although the English had the advantage, yet truth obliges us to declare that it cost them very dear; for, besides a great number of their best soldiers, they lost Edwin and Ethelwin, the two sons of Athelstan's uncle Ethelwald, whose bodies were buried in Malmesbury church.

By the Scots and Irish chusing the mouth of the Humber for the place of their debarkation, it should appear that Athelstan had taken the wisest precautions to provide for the safe-guard of the western coasts, otherwise the invaders had a much better prospect of success in landing where they could have been more readily joined by the Welch.

Besides this signal victory by land, the English arms proved at the same time successful at sea, the king's fleet having given that of the enemy a great overthrow; but the particulars of this latter advantage have not been thought worthy of historical notice; so that we are not able to give a minute detail thereof.

After this grand defeat, Athelstan had leisure to turn his arms against the Welch, to chastise them for the part they had taken with the invaders of his territories; and, having got the better of them, though not without a stout resistance on their side, he compelled their king Ludeval to meet him at Hereford, accompanied by all the neighbouring petty princes, there to do him homage; at the same time he made them engage to pay him twenty pounds of gold, three hundred pounds of silver, twenty-five thousand heads of black cattle, and as many hawks and hounds as he should think proper†.

After he had settled the affairs of the north, Athelstan marched against the Cornish Britons inhabiting Exeter and the adjacent countries, whom he drove out from thence, and removed them out of Devonshire into Cornwall, making the river Tamar the boundary of their country on that side, as he had fixed the Wye for their limits on the other. On his return from this expedition he made a descent upon, and took possession of, the Isles of Scilly‡.

A. D. 941, put a period to the great actions and life of this illustrious prince, who bid farewell to the glories of conquest and the toils of state, at Gloucester, in the forty-sixth year of his age and the sixteenth year of his reign||; his days, saith Malmesbury, having been but short, but distinguished by glory.

I have already taken notice of the only blemish with which the prince's memory is stained, name-

ly, the compassing the death of his brother Edwin. I have also quoted such authorities as are of the most consideration to support or invalidate the truth of the story; and shall therefore proceed to give the testimonies of historians in regard to the general character of Athelstan, leaving to the reader to determine how far such a deed may be found to detract from that esteem which posterity otherwise owes to the memory of this great king.

The elegant historian I have before quoted assures us, that he was a just, wise, and great prince, graceful in his person, affable in his carriage, generous in his sentiments, beneficent, charitable, and religious. Other writers represent him to us as no less consummate in the arts of policy and peace than formidable in war. He was adored by his subjects for his humility, and dreaded by his enemies for his valour; and so great was his attention to the welfare of his people, that he made it the whole study of his reign to protect and encourage commerce, insomuch that, according to Spelman, he granted a privilege in favour of those of a mercantile profession, whereby a person who had made three voyages to the Straights (the chief seat of commerce in that age) on his own account, and not as a factor for another, should be put upon the foot of a thane, or raised to the condition of a gentleman; a privilege of the highest utility in those days, when the German government laid it down as a standing maxim, that the being concerned in traffic derogated from gentility. He in every thing made his father Edward, and his illustrious grandfather Alred, the shining examples he copied after; and being as able a politician as he was an expert general, he took such measures to provide for the securing of his kingdom as none of his predecessors had thought of. If we consider him in his legislative capacity, his laws were no less curious than beneficial (as will be shewn in their proper place) and at the same time that they ministered to the happiness of his people, they raised his own name as the greatest civilian and writer of his age; nor did he content himself with barely enacting the best laws, but also exerted all his authority to enforce the due observance of them, in which he gave a striking instance both of his understanding and his justice.

To all the accomplishments of the king, the judge, the general, and the common parent of his people, he added those of the scholar and the patron of learning and learned men. Not satisfied with possessing knowledge himself, he was willing to diffuse it amongst his subjects; and whilst with one hand he was leading them out of the paths of worldly ignorance, he with the other opened to them the road to eternal happiness, by ordering the Bible to be translated into the Saxon tongue for the use of the vulgar. In a word, he stands up in the records of impartial history, as the most consummate politician, one of the best kings, and the greatest generals that the Saxons had ever given to this kingdom.

* Constantine, according to some English historians, was in the number of the slain; but as the most unquestionable authorities among the Scotch contradict this fact, in which they are countenanced by the best English annals, we must therefore suppose that he escaped.

† But we are not to believe with some of our English historians that this tribute was to be continued annually, because

in the laws of Howel *Dba*, i. e. the Good, we find no more tribute due to the king of London, than an hundred marks, or about sixty-six pounds, besides the hawks and hounds.

‡ Athelstan, after having reduced Cornwall and the Isles, founded the collegiate church of St. Burien at the land's end.

|| On the 27th of October, according to the Saxon chronicle, and *Angl. Sacr.* t. ii. pag. 80.

His person we find thus described by Malmesbury: "Athelstan was of a middling stature, stooping a little in his gait; his hair of a bright yellow, which he usually wore beautifully plaited; his countenance was rather chearful than merry, and his body rather slim than lusty."

Dying without issue, he was succeeded by his brother

E D M U N D I. A. D. 941.

WHO ascended the throne when but eighteen years of age. He was the sixth son of king Edward by his wife Edgitha*. His coronation was performed with great solemnity at Kingston upon Thames. He had in his brother's life-time given signal proofs of his valour and military accomplishments, and began his reign with the fairest pre-
sages of equalling his predecessor in fame.

The Danes, ever restless under the English yoke, looked upon the youth of Edmund as a favourable opportunity to make another struggle for independency; and with this view they privately sent an invitation to the brave Anlaff, who was still in Ireland, waiting with impatience for some happy turn in affairs, that might enable him to wipe out the shame of his last defeat; and no sooner was he apprized of the sentiments of the Danes, than he resolved to acquiesce in their wishes, and put himself once more at their head; but, conscious of his being too weak to oppose the whole united force of England, he entered into a treaty with Olaus king of Norway, whom he engaged to furnish with a certain number of ships and men. Having received the desired supplies, he began to think himself strong enough to attempt the invasion of Northumberland; and landing in the country, he made himself master of York, having previously entertained a private correspondence with the principal inhabitants of that city. The possession of the metropolis soon made him master of many other towns, whose garrisons were either put to the sword, or obliged to capitulate, by the Danes who dwelt in those parts. Not contented with the possession of Northumberland, Anlaff advanced into Mercia, where he likewise met with a most favourable reception, and his countrymen in that kingdom assisted him in retaking some places which had been wrested from them by the young king's father, Edward†.

Edmund, notwithstanding his tender years, was not intimidated by the rapid progress of the enemy: he assembled his forces with an amazing expedition, and seemed rather animated than appalled by the prospect of danger. In a short time he repossessed himself of the places which the enemy had taken, and put strong garrisons into them, composed wholly of such of his English subjects in whom he knew he could place the most confidence. After this, he continued his march, and came up with the rebels at Westchester, when, both armies joining battle, an engagement ensued, which, faith Matthew of Westminster, lasted the whole day without either side having the advantage. At length, Odo and Wulstan, the one archbishop of Canterbury, and the other of York, desirous to

save the further effusion of blood, interposed their christian mediations so effectually, that a peace was agreed to upon the following terms, viz. That Anlaff should enjoy all that part of England lying north of Watling-street, and Edmund all the territories south of the same, with a grant to the survivor of the whole. And here I must confess myself at a loss to make such strange concessions in favour of an invader any way tally with the general character of Edmund, or the state of the kingdom under his reign. Certainly a single battle, as yet likewise doubtful in its event, could never induce a prince of common prudence or courage to share his kingdom with rebels and pirates. By these concessions of Edmund, it seems as if he was worsted. On the whole, therefore, we may come nearest the truth by supposing that these terms were not willingly granted by Edmund, but forced from him by the nobles who were in his army, and who probably might have been tampered with by the invaders, and that his compliance was no more than an expedient to prevent a mutiny; and unhappily we do not want instances in the course of history, where the ambition or avarice of great men in power may counter-balance the intentions of the best of kings, and convert the greatest successes, purchased with the blood and treasure of the nation, into the scourge of an ignominious peace.

Edmund, therefore, seems to have been very much distressed when he made this peace, or had been grossly betrayed; and it is more than probable that in a short time he perceived how much he had been imposed upon, since we find him, in the year 944, invading Northumberland, and driving from thence both Anlaff and Reginald king of the Danes, which the character of this prince gives us no room to suppose he would have done, had this peace been agreeable to the honour and dignity of his crown, or of his own deliberate procurement.

Anlaff, however, does not appear to have demeaned himself in such a manner as to conciliate the affections of the Northumbrians, who had invited him over; for no sooner was he established in peaceable possession of that country, than he began to burden his new subjects with most grievous taxes, in order to discharge certain debts which he had contracted with the king of Norway to fit out this expedition. The Northumbrians, a restless, dissatisfied people, ever aiming at independency, and yet incapable of tasting the sweets of ease, threw off the subjection which they had so lately voluntarily entered into; and the inhabitants of Bernicia revolting, sent for Reginald, Anlaff's nephew, from Ireland, and crowned him their king at York, who, immediately on his accession to his new dignity, set about making preparations for war against his uncle; so that the kingdom of Northumberland was instantly divided into two factions, which menaced each other with defiance and destruction.

This was too favourable an opportunity for Edmund to let slip, and he now resolved to take advantage of the change of affairs to wrest from the common enemy those countries which he had been obliged to cede to them. With this view, he

* Guthrie, by some unaccountable mistake, makes Edmund the son of Athelstan.

† It was in the year 942 that the Northumbrian Danes of

Anlaff's party made themselves masters of Leicester, Lincoln, Nottingham, Stamford, and Darley, in the kingdom of Mercia.

began to make all the necessary preparations for invading Northumberland before either of the contending parties should be apprised of his design; and such was the secrecy and expedition he observed on this occasion, that he was ready to fall upon the two kings before they had the least notion that he meditated a rupture; and, being wholly unprepared for defence, they were glad to embrace whatsoever terms he thought fit to impose; but Edmund, listening rather to the dictates of generosity than those of ambition or revenge, contented himself with obliging the Northumbrians to send back both their kings, and to renew their oath of allegiance and fealty.

After this, Edmund, A. D. 945, turned his arms against the inhabitants of Cumberland*, who had incurred his displeasure by assisting the Northumbrians in their late revolt. Accordingly he marched into their country, dispossessed the petty prince whom they had set up of his dominions, and bestowed them as a fief, to be held of the crown of England, on Malcolm, king of the Scots, whom he thus attached to his interest. The terms of this tenure were, that Malcolm, and his successors, should on all occasions be ready to furnish succours, either by sea or land, to the king of England, and acknowledge him as lord paramount of those lands†. But Matthew of Westminster restricts the service which was exacted of the Scottish monarch to the defence of the northern border.

The fame of Edmund, like that of his great progenitors, was too ample to be confined within the narrow limits of the country over which he ruled: it made its way into the continent; and Lewis the Foreigner, king of France, being about this time dethroned by Hugh the reigning king, sent to Edmund to supplicate his assistance. The English king, in pity to his misfortunes, sent an embassy to France, demanding his restitution. The success they met with hath not come to our knowledge; nor should we have taken notice of so imperfect a circumstance, only as such a commission serves to shew the strength of this nation even in that early period.

Peace being now universally restored, the kingdom began to taste the sweets of an upright and mild administration under this hopeful prince, when an accident, as singular as it was deplorable, cast a deep shade over this enlivening prospect, and once more threw all back into confusion.

As he was keeping the festival of St. Augustin, the convertor of the Kentish Saxons, at Puckle Church, in Gloucestershire, and sitting at table with his nobles, he observed among them, at the end of the tables in the hall, one Leod, or Leoff, (a

notorious malefactor, whom he had some years before banished) disputing with the steward of his household, who probably would have obliged him to withdraw. The king was naturally passionate, and, being provoked at the intolerable insolence of the fellow, rose from table, seized him by the hair, and threw him upon the ground; but, whilst he was holding him down, the villain drew forth a short dagger, which he had concealed about him, and plunged it into the king's breast with such force, that he expired immediately. The company, in their fury, fell upon the murderer, and cut him to pieces; but not till the desperate wretch had wounded several of them‡. This fatal catastrophe happened on the 6th day of May, A. D. 946.

Thus ignobly fell the young Edmund in the very bloom of his age, having barely attained his five-and-twentieth year; six and an half only of which he had been king. His reign, short as it was, had been noble. His exploits in the field may serve as a proof of his courage; but the care he took to improve the civil policy of his kingdom are noble illustrations of his humanity.

E T H R E D, A. D. 946 ||.

EDMUND left two sons by his wife Edgiva; but these being both infants§, and the completion of the times seeming to call for a stronger sway, the states of the kingdom agreed to place Ethred on the throne of his deceased brother; and he accordingly received the crown from the hands of Odo, archbishop of Canterbury, at Kingston.

The Northumbrians, as usual, laid hold on this change in the government to stir up new seditions; for no sooner did they receive the news of Edmund's death, than they broke out into acts of rebellion; upon which Ethred, without hesitation, marched an army into their country; but would not proceed to severities, however justifiable, without first trying the gentler methods of persuasion. With these views, that sufficiently bespeak the goodness of his heart, he dispatched the trusty Turketyl, as his commissioner, to receive their allegiance. This minister, whose talents as a statesman were only to be equalled by his fidelity as a subject, conducted himself so prudently, that he disconcerted all the schemes of the malecontents, and prevailed with Wulstan, archbishop of York, and their principal noblemen, to renew the oath of fidelity to the English government in a solemn manner at York. Malcolm, the king of the Scots, who (in open violation of his former engagements with Edmund) had assisted them in their revolt, followed their example; and the peace

* The kingdom of the Cumbrians extended from the Wall of Severus as far as Dunbarton, in the western part of Scotland, and comprehended Galloway, Kyle, Carrick, and Cunningham.

† Several historians have taken occasion to infer from this circumstance, that the Scottish king paid homage to the king of England for the whole kingdom of Scotland; which is as absurd as if they were to say, that the kings of England were vassals to France, because they did homage to the French kings for Normandy; or that the present royal family, as kings of England, were vassals to the emperor of Germany, on account of their doing homage to him for the electorate of Hanover.

‡ This story is variously related by Powel in his History of Wales; by Brompton; Osborn, in his life of Odo; in the

Anglia Sacra; by John Wallingford, in his Chronicle; and by Simon of Durham. We have given it as told by Malmesbury.

|| According to the Saxon Chronicle. Higden places this event in A. D. 947; the Peterborough and Laudean copy of the annals, in the Bodleian Library, and Ethelward, in 948: but, as Edmund was murdered in 946, there must have been an inter-regnum of near two years; during which Ethred might probably have governed as protector of the kingdom in the minority of the young princes: but as none of our English historians take any notice of such a vacancy in the throne, I have thought it most agreeable to order and probability to place Ethred's accession as in the text.

§ The eldest of Edmund's children was but four, and the youngest only three years old.

of the North being now, in appearance, provided for, Ethred withdrew his army southwards.

The Danes however were no sooner freed from the immediate terror of Ethred's arms, than they broke their oath, and, in the year 949, made another effort to throw off the Saxon supremacy. Anlaf, then in Ireland, was again invited by them to make a fresh descent upon England, with promises of placing him on the throne, and protecting him on it with their lives and fortunes. He accordingly landed with a considerable force in the Northumberland territories, and was instantly joined by the treacherous prelate Wulfstan, most of the nobles, and a strong body of the inhabitants, by which junction he found himself in a condition to bid defiance to any army Ethred could bring into the field. All these transactions were conducted with so much secrecy and expedition, that the invader had reduced the most considerable places in Northumberland, before the king could assemble his troops to oppose his progress, and was therefore obliged to leave him for the present unmolested in the possession of his conquests, which, however, he did not long enjoy; for, whether owing to his own tyrannical disposition, or to the natural inconstancy of the Northumbrians, we find him obliged to relinquish his ill-gotten throne to one Eric, a Dane, in the year 952.

And now Ethred, being either awakened from his former lethargy, or thinking he had found a proper opportunity by this revolution to recover Northumberland, marched with an army to the borders of that kingdom. At his approach Eric fled for refuge into Scotland, and the Danes, finding themselves thus deserted by their prince, had recourse to supplications and delusive promises of future fidelity, which the exigence of the times obliged Ethred to accept of as sincere, and not only forgave them their revolt, but reinstated their king Eric on the throne.

Were it not for the frequent instances we have met with in the course of this history, of the little reliance that was to be placed on the most solemn oaths or promises of the Danish race, it could scarcely be supposed that after the repeated proofs of lenity and forgiveness, which they had experienced from the princes whom they had offended by their rebellious spirit, they would have again dared to trample under foot every tie or obligation sacred or profane. But such was in reality the case; for Ethred, after he had quelled the troubles in Northumberland, and restored Eric to the throne on certain conditions, set out for his Wessexian dominions; and, not thinking that he stood in need of much circumspection in marching through the country of a people whom he had laid under such recent obligations, the perfidious Danes sallied out of York, and attacked the rear of the English army at a place called Casterford. It was now wholly owing to the king's personal valour that all his troops were not made the victims of this unparalleled and unsuspected treachery. This flagrant instance of their perfidy and ingratitude incensed Ethred to such a degree, that he immediately turned back, and, contrary to the mildness of his nature, destroyed the whole country with fire and sword; and, in the fury of his indignation, would have extirpated the whole rebel race, had they not once more humbled themselves in the most abject manner, laying the whole blame upon the arch-

bishop of York and their king Eric, the former of whom was imprisoned by Ethred's order, and the latter was put to death by the Danes themselves, as a victim which they offered to the just indignation of Ethred, who, upon this mark of their sincerity, restored them to his favour and protection; but, at the same time, to cut off all possibility of future revolts amongst them, he took all their strong holds into his own hands, and turning out the Danish tenants, filled their places with his faithful English, under the command of Asulf, a countryman of their own.

Ethred having now restored quiet to his kingdom, gave himself up, without reserve, to all the follies of superstition, and suffered himself to be governed in the most despotic manner by Dunstan, the abbot of Glastonbury, a priest whose portrait we find thus drawn by an English historian: "His merits as a churchman were great, as a Christian none, and as an Englishman execrable; his zeal was furious, his understanding shallow, his ambition deep, his malice invincible by kindness, his spirit unsubmitting to authority, not possessed of genius enough even for artful dissimulation; his profusion without elegance, his bluntness without sincerity, and his cunning without wisdom." This man, such as he is here represented, did Ethred take, not only for his spiritual, but his temporal guide likewise; and while this overbearing priest gave his king corporeal discipline with one hand, with the other he disposed of all the benefices in church and state, in which none were admitted to a share but such as were his devoted creatures. In this distribution, he took care not to forget his brethren the monks, whom he provided for with a degree of prodigality, while the secular clergy were wholly neglected. The honest monks, not to be behind-hand with their benefactor in generosity, took every occasion to trumpet him up as a pattern of holy life, a prophet, and an apostle, which made such an impression in his favour in the minds of the unthinking vulgar, that he stood fair to acquire an absolute controul, both in church and state, when heaven, in compassion to the expiring liberties of the land, was pleased to remove the bigotted Ethred from his temporal throne, by afflicting him with a quinsy, of which he died on the twenty-third of November, A. D. 955.

In his last moments he sent for Dunstan, who happened to be absent from court, that he might settle his spiritual affairs, as also some temporal concerns with which he had privately entrusted this ghostly director; but the monk, who had imbibed none of the principles of restitution, artfully kept out of the way, until he was assured of the king's death, and by that means secured to himself the possession of great sums with which Ethred had entrusted him, and for which, being a secret between themselves, he well knew no one could call him to an account. With the monies he thus piously embezzled, he was enabled to live with greater splendor and magnificence than any of the nobles of the English court. But to conclude the history of Ethred.

He was a prince who had given abundant proofs of a personal valour in those wars wherein he was engaged, and as none of his vices have come to our knowledge, we may reasonably suppose that they were few in number, or greatly overbalanced by his virtues. He was the first monarch who assumed

assumed the title of king of Great Britain, or monarch of all England. During his reign the English government had suffered no diminution; and, abating the weakness which he shewed in his attachment to the insolent and rapacious abbot, we may venture to pronounce him a descendant not unworthy an Alfred and an Athelstan.

He had issue two sons, Bertfrid and Elfred; but as they were both born before he was raised to the throne, he was succeeded by the eldest son of his brother Edmund,

E D W Y, A. D. 955.

WHO was elected king by the suffrages of the clergy and nobility, and ascended the throne, though only fourteen years of age. We are told that he was remarkably beautiful in his person, and the monks, of whom he was no favourer, have blackened his character with every shameful vice that could debase human nature; but these calumnies are too general to merit the least regard, being founded purely upon Osborne's Legend of the lives of Odo and St. Dunstan, and propagated with a view to divert posterity from the insolence and brutality of Dunstan, and the treasonable practices in which both he and Odo were too deeply concerned. Be this as it may, Edwy at his accession shewed Dunstan a very different countenance to what his predecessor had done; and an event which happened on the very day of the young monarch's coronation, contributed not a little to confirm in him the dislike he had conceived of that overbearing abbot.

Edwy, who had a soul formed for the tender passions, was deeply enamoured of a young lady named Æthelgiva; but whether the conversation between them was criminal or not, his bitterest enemies have not ventured positively to assert. Fatigued with the ceremony of his coronation, and perhaps to avoid the excessive drinking then too much in practice, he stole from table after dinner, and retired into this lady's apartment, to divest himself awhile of the load of regal state, and taste the sweets of an unconstrained conversation with the fair object of his regard. The great men of the kingdom, thinking themselves affronted by the king's withdrawing himself from their company, expressed their resentment at the contempt shewn them, and proposed that the king might be sent for back. No one however could be found to charge himself with so disagreeable a commission but Dunstan, who, starting up from the table, ran hastily to Æthelgiva's apartment, where he found the young king in company with that lady and his mother, and after reproaching him in very unbecoming terms with a fondness so derogatory to majesty, dragged him forcibly back to the great hall.

Edwy, young as he was, had nevertheless prudence sufficient to curb his resentment on this occasion; but determined to lay hold of the first opportunity to punish this officious monk for the outrage he had committed on his love and dignity. The king's friends, who to a man hated Dunstan, let no occasion slip to cherish the prince in his sentiments, and persuaded him after some time to demand a restitution of the sums which the deceased monarch had committed to his charge. The king readily complied with this advice, and accompanied

his demand with strong hints that he had made use of the public money in order to purchase a dangerous popularity. But Dunstan, who, like a true monk, was never without a false pretence to serve the present turn, declared that he had expended the whole in pious uses, agreeable to the intention of his late royal master at the time he put those sums into his hands. Edwy, finding his design of calling the abbot to a public account baffled by this artful reply, contented himself with banishing him the kingdom, and Dunstan thereupon retired into Flanders.

This stroke, which seemed aimed at the priesthood, roused all the virulent fanaticism of Odo, archbishop of Canterbury, who, suspecting that female resentment had the greatest share in this exile of Dunstan, resolved to wreak the whole fury of his malice upon the fair Æthelgiva, well-knowing that he could not wound Edwy in a more sensible part, nor more effectually punish him for having dared to lift his hand against the chosen band of religion. Unhappily, the blind superstition of the times favoured him but too much in his insolent designs, and the monks had wrought so powerfully upon the minds of the people under their direction, that the just resentment shewn by offended majesty, was construed into an act of the highest impiety; and the vulgar were taught to believe that nothing less than a miracle could avert the wrath of heaven from a nation, whose chief had been guilty of such an insult upon one of its vicegerents here on earth. Secure then of the assistance of the multitude, the implacable prelate gave orders to a band of soldiers to enter the royal apartments, and to tear, even from the arms of majesty itself, the victim which the church had devoted to its resentment. Strange as it may seem, Edwy was not able to prevent this more than brutal violence, but saw himself obliged to part with the object of his love. The unfortunate fair one was dragged from the king's palace to Odo's house, who, with unrelenting fury, ordered her face to be branded with a red hot iron, (notwithstanding that such a punishment was directly contrary to the laws then in being), and banished her for life into Ireland.

The king had now seen all the respect due to his person violated in the face of all the world, and, as an addition to his vexations, he knew that Odo, the cause of them, was too powerful for him to venture to attack: he therefore directed the storm of his resentment against the whole order of monks, whom he drove out of his territories, bestowing the monasteries of Glastonbury and Abingdon, together with all their religious houses, on secular clergymen; but this only served to embitter those minds which he ought effectually to have filled with terror. In banishing Dunstan, and dispossessing his turbulent monks, he did no more than what his honour required of him; but he should not have stopped here. He should have rid his kingdom of the traitor Odo, to whom Dunstan was no more than an instrument; but, as we have already observed, he was overawed by this insolent subject; and the fear he was under of hazarding his crown by a bold attempt, was the very cause of his losing it altogether.

Dunstan, before his exile, had secretly entered into a conspiracy with Odo, archbishop of Canterbury, and the discontented monks, against Edwy, whose character they had blackened with all the virulence

*The Insolent Behaviour of Dunstan to K. Edwy
on the Day of his Coronation.*



S. Wale delin.

C. Grignon sculp.

*To the R. Hon^{ble}
Earl of
This Plate is most*



*Charles Talbot,
Shrewsbury,
humbly Inscribed.*



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virulence of disappointed malice. Not content with this, they had applied underhand to young Edgar, the brother of Edwy, who, being a prince of great ambition, readily joined in with the conspirators on their offering to place the crown on his head. Dunstan's exile, instead of casting a damp upon the conspiracy, rather served to rouse those concerned in it to more speedy action: accordingly, A. D. 957, the Mercians and Northumbrians, who had been entirely brought over to the party of the archbishop and the other malecontents, broke out into open rebellion; and, having Edgar at their head, became so powerful, that in a little time Edwy was abandoned of all his subjects, except the West Saxons; and finding it in vain to resist the torrent, he retired to the city of Gloucester, where he shut himself up*. The artful and ambitious Edgar took advantage of this retreat of his brother, to give his usurpation the sanction of a formal election by assembling the states of Mercia, who solemnly deprived Edwy of the sovereign power, and in his stead elected Edgar king of all that country to the northward of the Thames, except the ancient kingdom of Essex. On this occasion the monks, who had been principally concerned in these commotions, had recourse to their usual expedient of miracles, in support of a cause that justice, honour, and virtue, discountenanced; and a voice was said to have come from heaven, declaring Edwy unworthy of longer reigning, on account of the profligacy and iniquity of his life, and commanding the assembled nobles to place the crown on the head of his brother Edgar. So violent and unjust a revolution, however, could not be effected, even with all the power of monkish falsehood over the minds of an ignorant and deluded people, without producing great commotions; the nation in general seemed far from being reconciled to the act of the council, which had transferred the succession to Edgar; and a civil war ensued for some time, till at length, both parties being wearied out, a treaty was set on foot, in which Edgar was admitted to retain all his conquests with the title of king; and the unfortunate Edwy was obliged to be contented with the country of Wessex.

Edwy survived the loss of his territories only two years, during which time he languished in those heart-piercing miseries, which none but a youthful monarch, torn from the woman he loved, and stripped of his kingdoms, can possibly conceive. At length death put a period to his sorrows with his existence, A. D. 959. Huntingdon, who extols the goodness of his government, and the happiness his subjects enjoyed under him, drops some hints as if his death was the effect of treachery. Be that as it may, upon his decease without issue, the whole kingdom of England was again united under his brother and successor,

EDGAR, A. D. 959.

THE great abilities this prince had shewn in obliging his brother to consent to a partition of his dominions, during his life-time, shone forth with redoubled lustre when he became possessed of the sole sovereign sway.

The first act of his reign was recalling Dunstan from his exile, and putting himself wholly under his direction, heaping upon him all kinds of honours and preferments. He was immediately promoted to the see of Worcester, and his character for sanctity shone forth with double splendor after the eclipse he had undergone. It was not long before the see of London fell vacant, to which he was likewise preferred, and held them both together, till he intruded himself into the archiepiscopal seat of Canterbury.

As those who have made the infidelity of traitors the instrument of serving their own ambition are ever the first to distrust them when their purpose is effected, so fared it with Edgar, who was too well acquainted with the restless tempers of the Northumbrians to place any trust in the allegiance they had sworn to him. He therefore resolved to awe them into quiet by taking such measures as would most effectually deprive them of all hopes of success from any attempts against his authority; and accordingly divided Northumberland into two governments, constantly maintaining a strong body of forces in the northern parts, who might be at hand to quell any insurrection in its infancy; and at the same time, in order to secure his dominion from all invasions from abroad, especially those of the Danes, the unrelenting disturbers of the peace and tranquility of this island, he determined to fit out a fleet stronger than ever had been known under any of his predecessors, and to surround his dominions therewith, as with a floating rampart. He accordingly augmented his navy to a number of ships that almost surpass the bounds of credibility: some writers say it amounted to four thousand eight hundred; but all agree that it consisted at least of three thousand six hundred†.

This fleet he divided into three squadrons, or lesser fleets, consisting each of one thousand two hundred sail; and were stationed in such a manner, that they were continually cruising round the island; by which prudent regulation he at once rendered his men complete sailors, and effectually covered his kingdom from an insult.

To keep the Scots quiet, he ceded all the country of Lothian, together with the city of Edinburgh, to their king, Kenneth III. on the like terms of homage and vassalage as Cumberland, which secured Kenneth as an ally; and, in consequence of this treaty, Maccuse, or Macho, king of Man and the Isles, together with the to-

* About this time the fair Æthelgiva returned from Ireland with a face as beautiful as ever, the scars made by searing being entirely worn out. The frantic Odo, being informed of her return, ordered her to be seized on her way to the king, and to hamstring her, after which it is said he caused her to be murdered at Gloucester. *Angl. Sacr.* t. ii. p. 106.

† Though the modern reader may be struck with astonishment at the greatness of this number, yet upon reflection we shall find it by no means incompatible with truth or probability,

if we suppose (as we may reasonably do) that in this account is comprehended the whole of his naval forces; and that every little cock-boat and pinnace is thrown in to add to the magnificence of the relation. To defray the expences of this armament, he laid a tax on his subjects, and exacted a proper consideration from each of the petty princes who enjoyed the benefit of this valuable protection. *Campbell's Lives of Engl. Admirals*, vol. I.

parchs of Galloway and Dinnal, Griffith Hunald, Jacob and Jeodefthil, petty princes of Wales, readily submitted to the government of Edgar. We are told likewise, that, having appointed all these princes to meet him at Chester, he went on board his royal barge; and each of these princes handling an oar, he himself holding the helm, he was thus rowed in triumph up the river Dee; a story which, if true, serves only to shew the foolish arrogance of Edgar, and the mean servility of the other princes; and is in no-wise to be erected into a proof of his absolute sovereignty over them, or that they were otherwise subject to him than as weaker allies to a more powerful one.

A. D. 961 an infinite number of wolves, coming down from the mountains of Wales, destroyed all the cattle, and greatly alarmed the inhabitants of that country; which calamity being made known to Edgar, he changed the tribute usually paid by the Welsh into that of three hundred wolves heads, to be yearly paid in lieu of money and cattle. This laudable regulation had so good an effect, that in less than three years not a single wolf was to be seen, either in that country, or throughout England.

The blind partiality which Edgar shewed for the whole monkish race, attached them so warmly to him, that they have mutilated history in the most miserable manner, in order to dress up every period of this prince's reign in the tinsel garb of flattery. In short, we have no one example of a reign so late, so long, and in several respects so truly glorious, in which the chronology has been so strangely neglected; and what account we have of it is rather a panegyric on his person and character, than an history of his life and actions. Thus muffled in the veil of superstition, we are obliged to catch at facts by random. However, in spite of all the gloss that adulation has spread over the memory of Edgar, we find that he had failings that fell not short, if they did not exceed, those for which the pious brotherhood had doomed his brother Edwy to obloquy and wretchedness during his life-time, and branded his name with infamy to posterity.

If we were to say that no woman's chastity was safe under Edgar's reign, provided her form was such as to attract his amorous inclinations, we should not say more than we have warrant for in history, as will appear from the following anecdotes.

The first instance we have of the irregularity of his passion, is his committing a rape upon Wolfheda, or Wilfreda, a beautiful lady, whom he pursued even into a cloister, where she had taken refuge to avoid his criminal addresses, but which proved ineffectual to secure her against the forcible attempts of the lustful monarch. He had a daughter by her, named Editha, who was afterwards a nun in the same convent from whence her mother was taken. This invasion upon the privileges of the church (rather than the crime itself) so exasperated the godly Dunstan; that he obliged Edgar to atone for it by a seven years penance.

This, however, did not prevent Edgar from indulging himself without controul in the pursuit of his passions; and having heard that there was a young lady of singular beauty at Andover, he immediately sent word to the mother, that he in-

tended to come and take a night's lodging with her daughter. The good parent, who held her daughter's virtue in esteem next to the preservation of her life, yet fearful to incense the amorous monarch, who was not accustomed to take a denial of that nature without resentment, bethought herself of a stratagem by which she might at once secure to her beloved child the invaluable jewel of her modesty, and gratify the warm desires of the king, and sent him word that her daughter was prepared for the honour he intended her; and in the mean time prevailed upon one of her maids, a good likely wench, and whose scruples were easily over-ruled by the high notions of being a king's bed-fellow, to submit to Edgar's embraces, to whose couch she was to be conveyed in the dark, with a charge, however, to quit his side before the light of day should discover to him the innocent fraud. Edgar, burning with desire, no sooner received the welcome note from the mother, than he posted in all haste to riot in those guilty pleasures with which he had feasted his imagination. Every thing was conducted at this meeting in the manner which had been previously concerted. Before the dawn of day the maid stole from the bed, yet not so softly but that Edgar perceived it, and asked her why she was in such haste to be gone. Confused at the suddenness of the question, she inadvertently answered, that she was going about her mistress's work. This startled Edgar, and he now discovered the whole imposture, which at first filled him with rage and resentment; but having had no reason to be displeased with her as a companion during the preceding night, he forgave the mother and daughter the deceit they had put upon him; and is said to have taken the maid away with him, and to have kept her till his marriage with Elfrida.

These youthful irregularities, however palliated, give us no very favourable idea of Edgar's virtues; but the manner in which he gained possession of Elfrida, the heiress of Devonshire, is no less horrid than singular.

This young lady was so beautiful, that notwithstanding her father Ordgun, count of Devon, had educated her in a very private manner, the fame of her charms reached the ear of Edgar, with whom to hear of beauty, and pant for its possession, was the work of the same instant. Accordingly he resolved to satisfy himself whether she answered the encomiums which fame had lavished on her; and therefore employed his favourite and first minister Ethelwold (who also appears to have acted as the pander of his passions) to pay a visit to the father under some pretext, by which means he got a sight of the daughter.

Ethelwold, who was himself of an amorous complexion, and who, upon first beholding the maiden, was convinced, that fame, instead of being lavish, had been scanty in her report, was immediately smitten; and as love disdains any partner in the breast which it chuses for its habitation, so Ethelwold, unmindful of his duty when inflamed with this new passion, and knowing her to be the heiress of her father's immense estate, he determined to run all hazards to make the lovely Elfrida his wife; and, in order to detach the king entirely from the pursuit of her, he gave him such an account of her person as divested Edgar of all curiosity

curiosity to be more intimately acquainted with her. Ethelwold, taking advantage of this indifference, artfully gave him to understand, that he had himself entertained some notion of making Elfrida his wife; not from any particular liking to her person, but only that, as being the heiress of her father's estate, his own would be so much enriched by the match upon the death of her father, that it must be for the interest of his majesty to have a subject of so great property inviolably attached to his person and government.

The artful manner in which Ethelwold opened this design removed all suspicion from Edgar's mind; and being glad to have an opportunity of so easily obliging his favourite, he gave his consent. But Ethelwold had not long enjoyed the fruits of his amorous deceit, when Edgar was informed of the whole truth; and, inflamed with rage at the treacherous use his favourite had made of the confidence he reposed in him, meditated a bloody revenge; and, to make the more sure of his purpose, he had recourse to the same dissimulation which Ethelwold had practised upon himself. Accordingly he told the minister, in a careless manner, that he intended to take a day's hunting in the country where his estate lay, and purposed to take a night's lodging at his house. Ethelwold, taken thus unprepared, could not devise any plausible pretext to elude the royal visit; therefore, hastening home, he disclosed to his wife Elfrida the manner in which he had gained the possession of her; entreating, at the same time, that she would, as much as possible, obscure those charms which nature had lavished on her, lest they should attract the desires of the amorous Edgar, and prove the destruction of their domestic peace. Elfrida heard him, but it was with the ears of a woman conscious of the power of her charms, and inflamed with ambition: she already beheld, in imagination, her sovereign at her feet, and in her heart detested Ethelwold, who had robbed her of a conquest that would have exalted her above the rest of her sex and quality. Full of these thoughts, which were the instant effect of her husband's discovery, she promised him all he required, that she might be under less restraint in acting as she pleased. The day appointed for the royal visit now arrived. Edgar came, saw, and loved. Elfrida, instead of following her husband's advice, made use of every art to set her charms out to the greatest advantage, and make herself appear more amiable; and knew so well how to play off the artillery of beauty, and to teach her eyes the language of her heart, that Edgar read in them every sentiment of her ambitious soul, and burnt in the double flames of love, and rage for abused confidence; but, assuming an exterior of complacency and satisfaction at his reception, Ethelwold had not the least suspicion of the gathering storm. In a short time after, the king invited him to an hunting match in Harewood Forest, where he took an opportunity, while no one was near, to run him through with a lance. A son (Malmesbury says a bastard) of Ethelwold's passing by at the instant the king was drawing his lance out of the body of that unhappy husband,

Edgar asked the young man how he liked that game? when the degenerate wretch, with a detestable courtliness, replied, "That, if it pleased his majesty, it ought not to displease him." Edgar was so taken with this unexpected instance of submission to his will, that he is said to have taken the youth about his own person, and to have bestowed on him singular marks of his favour.

After this fatal catastrophe, Elfrida was married to the king, by whom she had two sons, named Edmund and Ethelred, the latter of whom came to the throne in the course of succession.

Edgar was so continually repeating offences of this kind, that it was not till the latter end of his reign that there could be found a proper time to crown him; it not being deemed lawful to use the rite of unction in the case of a prince subject to canonical censure, and in a state of penance. At length, however, he was crowned with great solemnity and splendor at Bath*, in a grand assembly of the clergy and nobility, called Wittena Gemot, by the hands of Dunstan, on Whitsunday, A. D. 973.

The same year an insurrection happened in Wales, Iago, the prince of that country, who had deposed and imprisoned his brother, being himself dethroned and deprived of his kingdom by Ivaf, his nephew, who replaced his father on the throne. Upon this revolution the usurper applied to Edgar for his assistance, who, glad to take advantage of the commotions among the Britons, and thereby pave the way to an entire conquest of them, led an army himself into North Wales; but being met at Bangor by Howel, a treaty was concluded, by which the two contending princes agreed to a partition of dominions.

Edgar, after the solemnity of his inauguration was over, held the congress at Westchester with the six kings already mentioned; and, in all probability, it was at this time we may place his adventure with Kennith, king of Scotland, which was as follows.

The last named prince, who was very strong and robust in his person, and apt to be a little boastful in his cups, had taken great liberties in ridiculing the diminutiveness of Edgar's stature, which came to that monarch's ears, who, though he did not immediately take notice of the affront, was resolved to resent it. Accordingly he one day took an opportunity to walk abroad with Kennith, when, having insensibly drawn him into an unfrequented place, he gave him to understand that he had been informed of the indecent liberties he had taken with his person, and presenting him with a couple of swords, insisted upon his chusing one of them, in order, he said, that he might convince him that personal courage did not depend upon the strength of muscles, or the advantage of bodily force. Kennith, struck with the greatness of Edgar's soul, stood self-condemned, and blushed at his own unguarded behaviour, begged pardon for his rudeness, and Edgar, who was no less generous than brave, readily forgave him. The Scottish historians, with a weakness hardly pardonable, have been at great pains to refute this story, by alledging that there was no king of the name of Kennith

* Alured. Bever. l. viii. Flor. Wigt. Ang. Sacr. t. I. p. 223; but Guthrie says at Axminster in Devonshire, from what authority he himself best knows.

cotemporary with Edgar. Be that as it may, the story itself does honour both to their king and country. To the former, in having generously acknowledged his fault; a reparation which every man of real courage and honour looks upon himself obliged to make to those he may have rashly offended. It does the country honour; in that, Edgar, who was the most haughty prince of his time, thought it no way derogatory to his dignity to put himself upon an equality with the Scotch king, a condescension to which he would certainly never have submitted had he considered Kenneth in the light of a tributary vassal.

Edgar survived the ceremony of his coronation only two years, dying on the eighth of July, 975, in the thirty-third year of his age, and the sixteenth of his reign.

It is a matter of no small difficulty to give our readers the true character of this prince. Some historians, not contented with applauding him as an excellent king, have endeavoured to set him up as a saint also; while others brand his name with the vilest epithets, and endeavour to hand him down to posterity, as a lawless and bloody tyrant. For us we shall endeavour to keep the mean between those two extremes, and making facts the ground-work of our portrait, we shall neither brighten with the pencil of flattery, nor disfigure with the shades of detraction. History will not permit us to deny that Edgar ascended the throne by an act of the most flagrant injustice and rebellion, and that he maintained himself in it by an arbitrary authority. We have seen that he was lascivious, revengeful, and bloody; and, together with all these, a dupe to the overbearing insolence of the monks, and their arch-bishop Dunstan; and the story of his being rowed by six kings, is a sufficient proof of his barbarous vanity.

Let us now turn our eyes to the more favourable part of his character; and here we must confess he appears to great advantage; for he was a sound politician, an excellent legislator*, and a monarch who exerted the great talents which he had received from nature for the benefit of the kingdom he governed. In a word, we may pronounce him to have been an extraordinary compound of virtues and vices, in which the latter seem rather predominant; and, if we consider that he was but sixteen when he mounted the throne, we cannot, without surprise, behold him displaying so many signs of sagacity, conduct, and wisdom, nor forbear wishing that those vices which he was guilty of had not been of so deep a dye, or that they had been buried in oblivion.

By his first wife Elfreda, he had issue Edward, who succeeded him; and by his second, Edmund, who died in the fourth year of his age, and Ethelred, who was afterwards king of England. By the lady whom he took out of the nunnery, he had Editha, who was afterwards abbess of Wilton†.

EDWARD, surnamed The MARTYR, A. D. 975.

UPON Edgar's death, those noblemen and others who had with impatience beheld the

exorbitant power of the monks, thought they had now a good opportunity to humble their pride and reduce them to their original mediocrity. Elfre, duke of Mercia, struck the first blow, by taking from them all the benefices they enjoyed in that province, which he bestowed upon the secular clergy. Some other of the nobles followed Elfre's example within their respective districts, and in all probability a total revolution would have ensued, had not Ethelwin opposed his great power in favour of the monks. These jarring factions, however, rendered the election of Edward to the crown of his father very precarious. Elfrida, the queen dowager, an intriguing, artful, ambitious woman, aspiring to the government of the kingdom, in the name of her son Ethelred, formed a party to set aside Edward, and raise him to the throne; but this scheme was defeated by the vigilance and activity of Dunstan, who well knew that the support of Edward's title was the only thing which he and his monks had left for the preservation of their possessions. This prelate caused an assembly of the states to be called, to which he came in great pomp; and, without giving time for disputation, he himself placed the crown upon the head of the young Edward, while the assembly, which consisted chiefly of clergy, being desirous of peace, and probably over-awed by Dunstan's great power and reputed sanctity, concurred in electing Edward, who was accordingly proclaimed their sovereign.

Edward was but fourteen when he began to reign under the tutelage of Dunstan, who, profiting of the prince's minority, took all the power into his own hands, and laboured with all his might to keep the monks in possession of the benefices which had been lavished on them in the last reign; but herein he met with great opposition, notwithstanding all his orders were issued in the king's name. Dunstan, therefore, found himself obliged to convene several councils on this affair. But such matters will fall more properly under the head of religion, to which we shall therefore refer our readers.

A. D. 976 a great famine prevailed throughout England; but we have no account of any transaction in this prince's reign that can properly be termed civil: the altercations among the priests make up the whole of his history, till he came to his end in the following tragical manner.

Upon Dunstan and his party having prevailed in favour of Edward, and placed him on the throne, the queen-dowager Elfrida retired with her son Ethelred to Corfe-Castle, where she in secret hatched schemes for the destruction of the innocent monarch. It happened, that one day, as he was returning from the chace, and having out-rid his attendants, he found himself near the place of his mother-in-law's residence; and having always shewn her great respect, and being, at the same time, very fond of his brother Ethelred, he determined to call and pay them a short visit. On his arriving at the castle, Elfrida received him in the most affectionate manner, and pressed him to alight and take some refreshment; but the young

* The civil character of this prince will be best known by his laws, an abstract of which we shall give in their place.

† This lady is celebrated for her chastity and beauty, which, it seems, she chose to set off with those ornaments of dress which appeared more suitable to her birth than her profession,

with which, being one day reproached by a bishop, she smartly replied, "That God regarded the heart more than the dress; and that a virtuous mind might be concealed as well under a splendid habit, as under an hair-cloth."

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King Edward Stab'd at the Gate of Corfe Castle by Order of his Mother.



*To the Rt Hon^{ble}
Earl of
This Plate is most*



*Edw^d Stanley,
Derby,
humbly Inscribed.*

monarch excused himself, saying, that his stay would alarm his attendants, to whom he had given the slip, and, therefore, that he would for the present take only a cup of wine on horseback, being very thirsty. Wine being accordingly brought, as the young prince was lifting the goblet to his head, he was stabbed in the back by a ruffian, whom Elfreda had posted for that purpose, upon finding that all her intreaties could not prevail on Edward to dismount and enter. The king, finding himself wounded, instantly set spurs to his horse; but he had not rode many paces when, fainting with great loss of blood, he fell from his saddle, and one of his feet catching in the stirrup, his beast dragged him in that position a considerable way, and at length stopped of its own accord, at the house of a poor blind woman by the road side, where some of Elfreda's domestics, who had traced him by the blood to the place, found his corpse terribly disfigured by being dragged over the stones. In order to conceal the murder as long as possible, they threw the body into a well; but it was found soon afterwards and carried to Wareham in Dorsetshire, from whence it was afterwards removed to Shaftsbury, and deposited in a monastery founded there by king Alfred.

Thus fell the unfortunate Edward, in the year 979*, the eighteenth of his age, and the fourth after his coronation by Dunstan. As to his character, we can say little more on that head, save that he appears to have put himself entirely under the direction of the monks. Many miracles are reported to have been wrought by his dead body. It is difficult to assign a reason for Edward's having been dignified with the double title of Saint and Martyr, unless we suppose him to have been mur-

dered on account of his great attachment to, and favour for Dunstan, and then indeed the problem is easily solved; for every friend or patron of the monks in those days, were sure to be cried up for saints, and their enemies represented as hated and accursed of God. Be that as it may, this prince is generally known in history by the name of Edward the Martyr.

Elfreda, either troubled with remorse for this act of cruelty, or having been enjoined to commute for her crime, according to the fashion of the age, founded two nunneries, one at Ambresbury, and another at Wherwell near Andover in Hampshire; in the latter of which she spent the residue of her days in acts of mortification and penance.

E T H E L R E D II. A. D. 979.

DUNSTAN, who plainly foresaw that the accession of Ethelred to the throne, would prove fatal to his party, used every artifice he could devise to keep him out of it; accordingly he made overtures to Edgitha, the natural daughter of Edgar by Wilfrida; but she, intimidated with the fate of her brother Edward, flatly refused to fall in with the archbishop's designs, notwithstanding that he offered all his interest and power to secure her election.

Finding therefore all his plans frustrated, he was compelled to put a good face upon the matter, and acknowledged as king young Ethelred, at this time about twelve years of age; and on the fourteenth day of April, being the Sunday after Easter-day, he anointed and crowned him at Kingston upon Thames†. But this ceremony he performed with such malevolence as plainly evinced the rancour of

* On the 18th of March, 978, say Flor. Wig. & Sax. Chron.

† As the antiquity of the coronation-oath is a subject that has employed the pens of several learned men, and seems not to have been rightly understood by our historians, who have made it more modern than it really is, it will not be amiss to gratify the curiosity of those who honour this history with their perusal, by presenting them with a transcript of the original oath administered by Dunstan to Ethelred, which is more ancient, as well as more authentic, than any which other historians have produced. The original Saxon runs thus: 'On ðære halgan thryneffe naman, ic threo thing behate cristennum folce, and me under theodum. An ærest that Godes cyrice, and eall Cristes folce, minra gewearde sothe sibbe healde, Oðer is that ic reafac and healle unrihte thing eallum hadum forbode. Thridde, that ic behate and bebeode on eallum domum riht. And mildheortnesse, that us eallum arseast and mildheort God thurh that his ecean miltsfe forgyfe se lyfath, and rixath.' The verbal translation of which runs thus: "In the name of the ever blessed Trinity, I promise three things to the Christian people and my subjects. First, that the church of God and Christian people within my dominions shall enjoy uninterrupted peace; that is, be free from any molestation. Secondly, that I will prevent theft, and every kind of injustice in all ranks of men. Thirdly, I engage to preserve and maintain justice and clemency in all judicial proceedings, that the kind, merciful God may, according to his eternal mercy, forgive us all our sins; who liveth and reigneth, &c." The charge which the archbishop added to this oath, containing in it such sentiments as may be of use on all future occasions of the like nature, I shall give it in the original, with an English translation, that the reader who understands Saxon may be gratified with a real curiosity, and he who does not understand that obsolete language, may partake with him in his pleasure. 'Se Cristena cyng ðe thas thing gehealdeth, he geearnath hym sylfum woroldliene weorthmynt, and him ece God ægther gemilcraþ; geon and werdum life ge eac on tham ecean the æfre ne ateorath. Gif he thonne that awægth that gode was behaten, thonne sceal hit syththan wyrðian swyðe sona on this theode, and ealle hit on ende gehwyrðath on that wyrð.

'butan heon his lif sœce ær hit gebete. Eala leof hlaford beorh huru thirga georne the sylfum, gethenc that gelome, that thu scealt tha heorde forth æt Godes dome ypan and lædan, the thu eart to hyrde gefcyft on thysum life, and thonne gecennan hu thu geheolde that Crist ær gebohte sylf mid his blode—

'Gehalgodes cinges riht is that he nænigne man ne woredeme, and that he wuduwan and steop-cild and æltheodige werige, and amundige, and stala forbeode, and unriht hæmedu gebete and sibligeru to-træme, and grundlinga forbeode, wiccan, and galdra adeliga, mægmyrþran and manswaran of earde adriðe, thærðan midæl myssan fede, andeald and wife and sýfre him to getheaterum hæbbe, and rihtwise men him to wicnerum rette, forthan swa hwæt swa hig to unriht gedoth thurh his aful, he is sceal ealles gescead agyldan on domes dæg.' That is, "The Christian king, who observes these things, shall acquire temporal honour, and render the Deity propitious to him, both in the present life, and in that eternal one which knows no end. But if he shall at any time break the promise he has made to God, the state of his kingdom shall immediately grow worse, and at last be involved in ruin; unless, in the future part of his life, he shall repent and amend his faults. My dearest lord, have an especial care of yourself. Frequently recollect, that you must lead and produce the flock at the judgment-seat of God, over which you have been created the shepherd in this life, and then you will be made to understand that you have the charge of that flock, which Christ has purchased with his own blood.

"It is the duty of an anointed king to judge no man unjustly; to protect the orphan and stranger; to restrain theft; to punish adultery; to dissolve and set aside incestuous marriages; to abolish sorcery; to extirpate those that are guilty of parricide and perjury; to feed the poor with alms; to advise with persons famous for their age, wisdom, and sobriety; and to place men of probity in the administration; inasmuch as the king is responsible for all the crimes they are guilty of, through his fault, at the day of judgment." Taken from *Riuder's History of England*, and by him from an ancient Saxon manuscript in the Cottonian Library; as likewise the manuscript code of constitutions in the Bodleian Library, Oxford, cap. 2. entitled, Be eorhlicum cyninge.

his heart, and in the sermon he made on this occasion, he, in a most unchristian manner, prophesied that his reign should be cursed with the misery and slaughter of his subjects, as a punishment for his having succeeded to the crown, in consequence of his mother's guilt, to which this innocent youth was so far from being accessory, that the grief he shewed on the death of his brother, called down upon him his mother's hatred and resentment. This insolence of Dunstan, which ought to have cost him his head, served only to increase his character as a saint and a prophet. Such was the blind superstition of those times, when artful and ambitious churchmen had found means to persuade the people that the surest way to get to heaven, was by laying aside their understandings.

The completion of the prophecies of such saints as Dunstan, is, by every man of sense, believed to be the effect of previously concerted schemes: besides, the state of the kingdom, and the natural weakness of the young monarch, might have given a man of meaner talents than Dunstan, strong reasons to foresee the calamities to which the nation must necessarily be exposed. Ethelred had the misfortune of coming too young to the throne, with those defects of the mind which the flattery of courtiers is but too apt to create in a young monarch, and, in particular, a love for ease and pleasure, which such as bask in the sunshine of royal favour, are always glad to encourage, as they can by that means more readily gain an ascendant over the mind of their sovereign: such being the disposition and inattention of the prince, no wonder that the administration was neglected, and every necessary precaution for the security of the kingdom totally overlooked. The Danes, who had for upwards of sixty years refrained from any attempts upon the English coast, owing to the vigorous measures pursued by the former kings during that period, now began to direct their rapacious views once more towards this land of plenty; secure of finding a favourable opportunity in the supineness of the reigning prince to renew their former acts of depredation, if not unmolested, at least without running the hazard that they might otherwise expect under the rule of a wiser and more active monarch. They were moreover encouraged to this by the state of affairs in England, where an universal degeneracy prevailed through the distraction of the times. The Welch, who had for some time lived in peaceable subjection, had lately taken arms under their martial prince Howel. The principal nobility of the kingdom were divided into factions, and each strove to augment his own authority at the expence of the public and of his neighbours. The national militia, the native safeguard of the country, was, in a manner, laid aside, and their places supplied by mercenary troops, who were generally Danes, that knew no other interest but that of plundering the people they were hired to protect: while such of their countrymen, who were settled in England, still retained their old hatred against the English government, and wished for nothing so much as a favourable opportunity of throwing off the yoke that had been imposed upon them, and most probably encouraged their brethren on the continent to embrace this favourable juncture to make a descent, while the government was weak and the kingdom defenceless.

Accordingly in the year 982, according to Hene-

den, those pirates arrived in seven vessels, and landing in Dorsetshire, ravaged the Isle of Portland, while another armament pillaged the town of Southampton and the neighbouring county, after which they sailed round to Cornwall, and once more made that country the scene of their bloody depredations, while, to increase the miseries of this wretched island, the city of London was, in this very year, burnt to the ground; but history has left us in the dark as to the accident which occasioned the conflagration.

The ensuing year 983, we learn from the Welch historians, that a rebellion broke out in South Wales, wherein Eucon, the gallant prince of that country, was slain, as he was endeavouring to reclaim the mutineers to their duty.

Amidst those confusions the nation sustained a capital loss in the death of Elfer, duke of Mercia, that noble opposer of the monkish arrogance and encroachments, whose name they have for that reason, with their usual spirit of Christian charity, handed down to us with infamy, representing him as having been struck with a lousy disease, of which he died: heaven having thus shewn its exemplary vengeance on a sworn foe to the church and her sons.

And now Ethelred, being justly incensed at the behaviour of the monkish clergy, resolved to make their leader feel the weight of his resentment, by which he proved beyond contradiction, that fanaticism or bigotry were not to be ranked in the number of his failings. The bishop of Rochester, having given him some cause of offence, he blocked him up in his own metropolitan city; but not being able to take it, laid waste all the lands belonging to the cathedral of St. Andrew's. Dunstan, who was daily giving proofs of his overgrown insolence, openly sided with the seditious prelate, and threatened Ethelred with the anger of St. Andrew, if he persisted in his hostilities against the church. But Ethelred, who, weak as he was, had however enough of understanding to laugh Dunstan and his saints to scorn, continued his proceedings, and even compelled the haughty archbishop to send him an hundred pounds; upon which he drew off his forces: but Dunstan, raging with the loss of so great a sum as that was in those times, and the insult offered to his person and authority, had the presumption to menace the king in the most treasonable manner; declaring, that, for the outrage he had offered to the church, the most dreadful calamities should speedily come upon him and his posterity, though he, Dunstan, might not live to see them. After this declaration, the reader will be no longer surprised at the accomplishment of this and other prophecies of the like nature, nor at a loss to account from what source the Danes received encouragement and support in their invasion of this unhappy country.

A. D. 988 the Danes made another descent, and burnt Watchet in Somersetshire. The next year they were opposed by an English thane, Goda, earl of Devon, who was killed in battle, and the Danes remained victors. This same year also died the famous Dunstan, archbishop of Canterbury, of whom we shall speak more fully in the history of the church. He was soon followed by his two particular friends and colleagues, Oswald, archbishop of York, and Ethelwold, bishop of Winchester. The deaths of these patrons of the monks

monks put a final end to the quarrel between the secular and regular clergy, which was never heard of more.

The Danes, after pillaging the coasts of England for ten years successively, remitted their ravages for two years together, which respite gave the harassed natives some hopes that these barbarians had turned their views to some other quarter: but this flattering prospect of quiet was soon over-clouded; for, A. D. 991, Justin and Guthermund, two Danish chieftains, landed a numerous body of troops on the coast of Suffolk, and burnt the town of Ipswich to the ground. On the news of their descent, Brithnot, duke of East Anglia, marched his troops with all expedition, in hopes to fall on them unexpectedly; but he found them too well prepared for him; and, coming to a battle, the fate of the day went against him: he himself lost his life, and his defeat opened the adjacent country to the enemy, who exercised the most horrid ravages where-ever they came.

The inactive Ethelred, instead of putting forth all his power to raise an army to oppose the progress of the invader, had recourse to the dastardly expedient of giving them a sum of money* to get rid of them. This he did by the advice of Siric, who had been raised to the see of Canterbury in the room of the deceased Dunstan, and who, instead of rousing Ethelred to a sense of honour, fostered in him that indolence which proved the opprobrium of his own fame, and the destruction of his kingdom†: for although the Danes, glad of the money, which enabled them to continue their invasions with more success, seemed at first well satisfied; yet this cowardly expedient was so far from answering the purpose intended of ridding the country of those locusts, that it only served as a bait or allurement for others, who thought they had equal right to take advantage of the weakness of the English.

With this view another fleet of these freebooters appeared in the course of the ensuing year, 993, on the coast of East Anglia; but met with a warmer reception than they expected. Ethelred, on this occasion, acted with a spirit becoming a king of England: he summoned his great council of the nation: he laid before them the debilitated state of the marine, and of the whole defensive force of the kingdom in general; desiring they would come to such resolution thereupon, as should be most conducive to the honour of his crown, and the defence of their country. The result of their conference was, that a strong fleet should be fitted out with all possible expedition, and so disposed as to be ready to block up the invading Danes in any of the harbours where their ships should put in for the sake of making a descent. This was a truly wise and politic measure, and would, in all probability, have been attended with such consequences to the Danish navy, which was carelessly scattered up and down in different

ports, presuming on the indolence of the English government, that those pirates would not have been in a condition to have made any future attacks on our coast: but this salutary scheme was frustrated by the treachery of Ælfrith, duke of Mercia, who was now recalled from a banishment into which he had been sent by Ethelred, on account of some suspicion of his fidelity; and yet, with an infatuation for which human reason cannot account, was now invested with the command of the fleet, having for his assistants a nobleman, named Thorod, and two bishops, Alfane and Elf-wig.

Ælfrith, who was too much injured to forgive, joyfully embraced this opportunity of being revenged, and secretly acquainted the Danes with every step which had been taken by the government for their destruction; upon which they gathered together their scattered ships as fast as they could, and stood out to sea to avoid the danger; but they could not be expeditious enough to prevent the English fleet from effecting some part of their design. The pagans were formed into one body, and the next day the English were to have given a general charge, when the perfidious Ælfrith went over to the Danes, and by his dissention saved the barbarians fleet at that time from total ruin. However, the London and East Anglian squadron came up with the flying enemy, when a bloody engagement began, in which many thousands of the Danes lost their lives, and one of their ships was taken, besides that in which the traitor Ælfrith commanded in person, who himself escaped with the utmost difficulty. Ethelred, in resentment of his treachery, put out the eyes of his son Ælfrith; yet afterwards, receiving him again into his service, gave him an opportunity of repeating his falsehood.

A. D. 993 the Danes returned again, with a formidable fleet, under Swein king of Denmark, and Anlaff‡ king of Norway; and having sacked and burnt Banborough, in Durham, they next sailed up the river Humber, took Lindsey, and ravaged the greatest part of Yorkshire. Ethelred assembled a body of forces in haste to check their progress, giving the command jointly to three noblemen, named Fræna, Godoin, and Frithegista, who, being of Danish extraction, were in all probability in confederacy with the enemy, as was in some measure verified by their conduct; for, as soon as they came in sight of the Danish army, they took to flight, and left the troops under their command to the mercy of the invaders, who cut most of them in pieces, and then continued to over-run the country without opposition.

After this Swein and Anlaff, joining their forces, sailed up the Thames, and landed near London. They made several vigorous assaults upon the city; but were always bravely repulsed by the besieged. This resistance irritated them so much, that they let loose all their brutal fury upon the circumjacent

* Ten thousand pounds.

† Malmesbury's reflection upon this inglorious measure, is truly worthy of an English pen: "It was," says he, "the advice of Syric, archbishop of Canterbury, that his countrymen should repel that with silver which they could not repel with iron." An infamous unmanly council! To purchase back by money, that liberty with which a gallant man, while alive, would never have parted.

‡ Some authors pretend that this Anlaff was the same with

him spoken of in the reigns of Edmund and Ethred; but besides that, the one was king of Norway, which cannot be said of the other, the first Anlaff must have been exceeding old, since he was a general seventy years before this invasion. Historians are very dark and puzzling in relation to the different princes of this name. Some call this king of Norway, who accompanied Swein, by the name of Onlaff, others call him Olaus.

counties of Kent, Essex, and Suffex, whose inhabitants they treated with unparalleled barbarity: at length, having gotten together a great number of horses, upon which they mounted their men, they threatened to extend their ravages over the whole kingdom. In this deplorable situation of affairs, Ethelred summoned another meeting of his states to consider on the most effectual measures for inducing these tygers to remit their cruelties; when the same means were made use of as had been before on a like occasion. A message was sent to the Danes, offering them sixteen thousand pounds in ready money, and a yearly tribute, if they would put a stop to the incursions of their troops. To these proposals the Danes lent a ready ear, and a truce was concluded, when the two kings retired to Southampton, from whence Anlaff came to visit Ethelred, who persuaded him to be baptized. He had no sooner declared himself a Christian than he promised, upon oath, that he would never again enter England as an enemy, and he strictly observed his word.

The two kings then set sail, and the English enjoyed a respite from their depredations during the years 995 and 996. But in the year 997, we find the war renewed again, and Swein landing with a numerous army on the coasts of Devon and Cornwall, laying all waste, demolishing the houses, and putting all the inhabitants to the sword; then advancing as far as South Wales, they entered the Severn, where they committed the same ravages.

All this while the English, who by the long disuse of military discipline, were unexercised in arms, and had run into every kind of effeminacy, were dispirited to the last degree with the cruelties which these barbarians exercised upon those countries that were so unfortunate to lie in their way; and, instead of exerting that noble ardour for which their ancestors were so justly famous, and which was rather inflamed than damped by the prospect of danger, the now degenerated English, I say, were utterly incapable to make head against the bloody torrent that overflowed their country. So that the Danes, in 998, penetrated even into Kent, and sailing up the river Medway, proceeded as far as Rochester. Here indeed they were met by Ethelred, who had found means to get together a body of forces, with which he marched to oppose their projects; but being overpowered by numbers, the English were obliged at last to give way, and were entirely routed by the Danes. These barbarians, who had hitherto found the terror of their name sufficient to open whole countries to their ravages, were so irritated at the resistance they met with on this occasion from the Kentish people, that they set no limits to their brutal revenge, and committed such wanton acts of cruelty as nature shudders to repeat.

To add to the deplorable situation of Ethelred's affairs, a fleet which he had fitted out to engage the Danes at sea, remained inactive through a dis-

sention which prevailed amongst the commanders. Thus the ill-fated English, either through their own misfortunes, or the treachery of their leaders, were every way worsted, while the Danes every day acquired new accessions of wealth and numbers, insomuch that the nation was on the verge of ruin, when, by a turn of affairs as fortunate as it was unexpected, the Danes were called over to the assistance of Richard II. duke of Normandy, whom the king of France threatened to dispossess of his dominions.

Ethelred took advantage of this respite to convoke an assembly of his states, when the question coming to be agitated in what manner the Danes were most effectually to be dealt with? It was determined that the former measures of purchasing their forbearance by tribute, was not only inadequate to the intended end, but at the same time served only as an encouragement to them to renew their incursions on the very next opportunity; it was therefore resolved by this assembly to have recourse to more vigorous efforts, and to carry on the war with spirit, both by sea and land. In consequence of these resolutions a strong fleet was ordered to be fitted out, and numerous levies were made throughout the island. But here Ethelred, as if he was fated to be the instrument of destruction to the kingdom he governed, no sooner saw himself at the head of a powerful land-army, than he seems to have neglected his naval force, the only natural and effectual means of relieving England from her calamities; and instead of going in person on board his fleet, or issuing such orders for stationing the ships as might appear most probable to secure the sea-coasts from farther insults, he turned his arms against Malcolm, who was prince of Cumberland, under Græme, king of Scotland, on pretence that he had favoured the Danes in their late incursions*. However, after plundering part of Cumberland, he was glad to strike up a peace with Malcolm; but whether the issue of this contest was favourable or otherwise to the king of England, historians do not tell us.

Ethelred, after concluding this peace, returned to London, the usual place of his residence; and thinking he had now a favourable opportunity to rid his kingdom of the Danes, and to prevent their returning for the future, he ordered his fleet round to West-Chester, where he proposed to join them with his land-army, and by one decisive blow put an end to the Danish power in this country. This plan, however, though it must be allowed to have been prudently and wisely concerted, and if properly executed, would in all probability have fully answered the salutary ends expected from it, was unhappily frustrated. The winter season was too far advanced, and the strong equinoctial storms, which are so well known upon our coasts, kept his ships wind-bound, so that the proposed junction of the naval and military forces could not take effect, and the remaining spring

* John Fordun, in his Scotch history, gives us the following account of the cause of this rupture: Ethelred having sent to demand of the prince of Cumberland, a subsidy towards defraying the expence of the war, and reimbursing the English government a part of the tribute they had been compelled to pay the Danes, the gallant Malcolm returned this spirited answer, "That he disdained to purchase that liberty with gold which he was ready to preserve with his sword; that the tenure by which he held his dominions was to assist the king of Eng-

land in person, in all his wars, a condition he was ready to fulfil whenever called upon; but that it should never be said of him that he had contributed to buy off those chains which they still had in their power to break by a valiant resolution." Ethelred was so enraged at this answer, which he considered as a reflection on his own slothful and inglorious behaviour, that he immediately declared war against him on the pretext abovementioned.

and summer was wasted in fruitless ravages in the Isle of Anglesey, of which the Danes were then possessed.

A. D. 1001, the Danes having done their business in Normandy, where they had secured Richard in the possession of his dukedom, returned to England (which, notwithstanding the faint shew of resistance made during the last two years, they now found as defenceless as ever), vowing severe revenge for the disturbance given to their countrymen in their absence. They fulfilled their promise with the most bloody punctuality; no place was free from their ravages; they burnt whole towns to the ground, and drove such of the inhabitants as they did not put to the sword into the open fields, where these merciless invaders suffered them to perish for want of subsistence. They had now penetrated as far as Alton in Hampshire, when they were met by Ethelward at the head of the county-militia; but the Danes, by their superiority of numbers, gained the day, and the English were routed with the loss of many persons of the first distinction, and among the rest Ethelward himself, the king's high-sheriff.

After this victory the Danes, embarking again, sailed round to the coast of Devonshire, and landed near Exeter; here they were joined by one Paleg, with an English squadron under his command. This traitor had been sent by Ethelred's order, to give the Danes battle on their attempting to land; but by this piece of villainy blasted the only hopes the nation had of getting rid of these destroyers. After this, the Danes invested Exeter; but the inhabitants making a stout resistance, they raised the siege, and, in revenge, began to ravage all the adjacent country, till at length the inhabitants of Devonshire, and Somersetshire, unable longer to support the excessive cruelties these barbarians exercised upon them, took up arms, and engaged the enemy at Penne, in Somersetshire; but here the Danes proved again victorious: the English were routed with great slaughter, and two of Ethelred's officers, named Cola and Eadfig, were cut in pieces. After this the conquerors in revenge burnt Penne and Clifton to the ground, together with several other towns; and then, passing over to the Isle of Wight, they destroyed the town of Waltham, with a great many villages; and, availing themselves of some magazines they found there, they extended their irruptions over most part of Hampshire and Dorsetshire. In a word, by their merciless and successful ravages, they seemed to threaten an extinction of the English name and nation, which was indeed in a most miserable condition; for not only all the southern parts were over-run by the foreign Danes, but the northern counties were peopled by the same nation; so that the unhappy English knew not which they had most reason to fear, the avowed enmity of the one, or the secret treachery of the other, who in several instances had not only refused to fight against the foreigners, whom they looked

upon as their countrymen, but had even at different times joined them, and assisted in destroying that country, which was now in a manner become their own, and which as such they ought to have defended to the utmost of their power.

In this extremity Ethelred gave himself up to fear and despondence, and, instead of endeavouring to oppose the enemy, summoned a council, A. D. 1002, and by their advice submitted once more to pay them a considerable sum, on condition they desisted from their hostilities. The sum to be paid the Danes for their forbearance, was fixed at twenty-four thousand pounds, which was immediately raised by a tax on the people, distinguished by the name of Dane Geld*; a tax which afterwards became exceeding burdensome to the nation, even for a long time after the Danes had quitted England. But the clergy and monks found means to slip their necks out of the collar.

The Danes, on receiving the money, withdrew their forces; but a great number of them chose to continue behind in England, and take up their habitation with such of their countrymen who were already settled here, and in time became excessive insolent and oppressive, living upon the labours of the English, whom they treated as a conquered people, and who were grown so abject and servile by their late misfortunes, that they chose to endure any insult rather than offend their new masters, and thereby provoke them to repeat their former inhuman ravages; and so great was the dread with which their very name inspired the dispirited English, that the latter on all occasions gave them the appellation of Lord Danes, which has since been altered into Lordain, and used as a term of reproach, to signify a purse-proud, idle man, who takes upon him a state that is in no-wise his due.

Ethelred, having found, by dear-bought experience, how little confidence was to be placed even on those who were the nearest about his person, or on a body of hireling troops that were always ready to betray the cause committed to their protection; whenever they could be gainers by deserting it, bethought himself of an expedient, which has been frequently made use of by our English kings, and which has generally proved in its consequences more fatal to the peace and honour of the nation than the evils which it has been intended to remove; I mean, a foreign alliance. Richard II. duke of Normandy, and Ethelred, had for some years been at variance; but their differences having been lately settled in an amicable manner, by the interposition of the pope, Ethelred thought he should find a powerful ally and protector in the Norman, whose ports, during the late invasions of the Danes, had been always open to those pirates, and by their situation, directly opposite to the English coast, served them as a convenient rendezvous, whenever they meditated any descent upon this island; but, by the intended alliance, he was in hopes to deprive the enemy of these advantages.

* That is, Dane's Money, or money for the Danes, and was the first land-tax known in England. It was raised by a tax of twelve pence laid on every hide of land. A hide of land is by some authors calculated to be as much as can be ploughed by one plough in a year. Bede fixes it at as much as can maintain one family; some are so particular as to say, that it contained one hundred acres; and others again assert, that the number of acres was uncertain. This tax was afterwards

named Hidagium, and then used as a general name for all taxes laid upon land. It was released by Edward the Confessor, but levied again by William I. and II. after which it was laid aside by Henry I. and abolished entirely by king Stephen. It is suggested that this ancient tax might probably be a precedent for our land tax of three or four shillings in the pound, when first granted.

An ambassador was therefore dispatched from the English court to Richard, demanding his sister Emma in marriage for the British monarch. This lady was so remarkably beautiful, that she was called the Pearl of Normandy. Richard readily embraced the proposals made him by Ethelred, and Emma was accordingly sent over to England, where the nuptials were solemnized with great splendor; but all the mighty advantages which Ethelred had flattered himself with from that match, he soon rendered abortive, by a step which has reflected eternal infamy on his own character, and entailed misery upon his posterity.

And here I wish that historical truth would permit me to draw a veil over a scene of so much blood and treachery, that affords a mortifying instance of what the English *ferocity*, as it is called by foreigners, is capable of acting, when worked up into rage by a long continuance of oppression and provoking insults; but, as all writers are unanimous in the notoriety of the fact, it cannot be passed over in silence.

And here it will not be improper to take a review of the chief ministers and generals about Ethelred's person, and by whose advice he appears to have been actuated in most affairs of importance, being himself naturally weak, fearful, and irresolute. These were as follow:

Leoffig, an eolderman of whom we know little, but that he was employed by Ethelred to negotiate with the Danes, and that he was soon after banished the kingdom for the murder of one of the king's officers. The next was Huna, general of the army; a man of personal courage and activity, but of a revengeful, mean, and treacherous disposition. The last I shall mention was Edric Streno, afterwards duke of Mercia, who had married Edgitha, the king's daughter. This man seemed born for the ruin of his country, and deserved the execration of posterity: he was rich, proud, cruel, crafty, and insinuating: he had the art of winning the secrets of others from them, while he concealed his own, and had a head to contrive, and a tongue to persuade to whatever mischiefs his heart was inclined to perpetrate: he had constantly betrayed all the king's counsels to his enemies, and whenever Ethelred had gained any advantage over them, he never failed to prevent him, by some specious counsel, from improving it; and when it became absolutely necessary, threw off the mask, and made an open defection to them; having no other thing in view than how to enrich and aggrandize himself, be the means as they might: in a word, his whole life was a continued scene of treachery.

Such were the counsellors of Ethelred, who instigated him to the impolitic and barbarous step of putting all the Danes in his kingdom to death by a general massacre. Having roused his resentment by the most artful insinuations, and interested his fears by pretended conspiracies to deprive him of his life, they at last determined him to strike the blow. Accordingly he commanded letters to be privately sent to all his officers throughout his dominions, with an order inclosed, that upon the feast of St. Bricius, or St. Brice, (November 13, 1002) all the Danes in England were to be slain without distinction of age or sex, excepting those in East Anglia and Northumberland, who were too numerous to be mastered by the few English residing in those countries. These orders were

obeyed with an exactness as barbarous as the dispositions that had dictated them; women and children were indiscriminately made the victims of this national butchery, which we are told by Huntingdon was but the work of one night; many of the Danes, who lived at London, fled for protection to a church in the city; but they were either dragged from thence, or massacred at the altars, to which they clung. The ruffian Edric distinguished himself in this scene of blood by an action for which his memory will ever be held in detestation and horror.

Upon the late negotiation, when Swein, king of Denmark, withdrew his forces from England, he had left his sister Gunilda as an hostage for his performance of the conditions agreed upon by the treaty. This lady had resided some time in England, had been married to count Paling, an English nobleman, had embraced the Christian faith, and looked upon herself as an Englishwoman. It was with the utmost grief and horror that she beheld the cruelties and depredations committed by her countrymen in this unfortunate land, and it was chiefly owing to her intercessions that her brother Swein had agreed to treat of peace with the English, whom he already looked upon as his conquered vassals, and their nation in the number of his dominions. Gunilda had resided, together with her children, under the eye of Edric, to whose care Ethelred had committed her on her becoming an hostage, and who now devoted this unfortunate princess to fall among the crowds of her countrymen; but, in the first place, he caused her husband and children to be put to death before her eyes, and then ordered that she herself should be run through the body with lances. It is more than probable that this act of savage cruelty in Edric was an effect of that treachery we have already taken notice of in his character, and that, to provoke Swein to another invasion, he took advantage of the popular fury against the Danes to perpetrate this inhuman murder upon his sister. As to Gunilda, she suffered with an exemplary heroism, only declaring, that the shedding her blood would bring infallible destruction upon the English nation.

The event answered the unhappy lady's prediction; for, notwithstanding the rigid execution of the order for the late massacre, some Danish young men found means to get aboard a vessel in the river; and setting sail, soon reached the coasts of Denmark, and informed Swein of the bloody tragedy that had been acted in England. This news, together with the ignominious murder of his sister, roused all his innate hatred to the English nation within the breast of the furious Dane, who bound himself with a fearful vow to take revenge on the English for their perfidy and barbarity. He was as good as his word; for landing with a numerous army in the spring of A. D. 1003, on the coast of Cornwall, he laid the country waste with a degree of fury that shewed this invasion to be intended not so much to acquire riches or dominion, as to satiate the raging thirst of revenge. The city of Exeter next fell into the enemy's hands, having been betrayed to them by Hugh the Norman, whom Emma had made governor, and who is suspected of having held a treasonable correspondence with Swein previous to his landing. Be that as it may, Exeter was taken, sacked,



The Massacre of the Danes.



sacked, and plundered, and its fortifications razed to the ground. From hence the victorious Swein proceeded into Hants, intending to force his way into Wiltshire; but Ethelred, having gotten together an army out of these counties, sent it to oppose the progress of the Danes, and had given the command to Edric, duke of Mercia, whom, notwithstanding his former treachery, he had again taken into his favour. This impolitic step, like many others of the like nature, only served to make his affairs more desperate; for the remembrance of his exile, and the putting out of his son Ælfrith's eyes, which had been done by the command of Ethelred, as we have related in a former page, was still fresh in the duke's mind, and he was rejoiced at having an opportunity given him to revenge the injury he had suffered. Therefore, as soon as he came in sight of the enemy, he feigned himself suddenly sick; and, pretending that he was in no condition to lead on his forces at that time, he ordered them to retreat; but the dispositions he made for this purpose were so concerted as to throw the troops into a disorder, of which the Danes, taking the proper advantage, put them to rout. Swein, after this easy victory, marched to Wilton, and then to Old Sarum, both which towns he burnt to the ground; and then, returning to his fleet, sailed back to Denmark, where he passed the winter.

The ensuing spring, A. D. 1004, he made another descent on the territories of the East Angles, and reduced the city of Norwich to ashes; after which he prepared to march farther into the country. Ulfketel, who was at that time governor of East Anglia, was too well acquainted with the superior power of the invading army to attempt any resistance; and knowing also that money was a never-failing argument with these sons of rapine, he, with the advice of the principal noblemen of the country, agreed to pay the Danes a stipulated sum, on condition of being left at quiet; but the Barbarians, as usual, having got the money into their hands, no longer thought of performing their promises; and probably they might think that the late flagrant act of treachery and cruelty on the part of the English, in the massacre of their countrymen, authorized any breach of faith that interest might dictate. Accordingly they stole away in their ships to Thetford, a town then of great note, which underwent the same fate as Norwich had done. Ulfketel, incensed at this treachery, determined to use all his endeavours to be revenged on the authors, and with this view ordered a party to go and burn their ships in the harbour, while he himself with another army, which he had hastily raised, marched forward with an intention to fall upon them before they could recover their confusion. Had his orders been punctually obeyed, this had proved a decisive stroke, and the nation had, in all probability, been freed from any future apprehensions on the part of the Danes; but those who were entrusted with the command of the expedition wanting spirit to put the governor's commands into execution, the Danes had time to do their business. However, this small advantage was dearly bought; for Ulfketel, who had marched night and day in hopes that his orders had been followed, came up with them before they had regained their ships; and the Danes, finding that all possibility of a retreat was cut off, and presum-

ing on their superior numbers, resolved to stand the charge, and a battle ensued, which was fought with such desperate fury, on the side of the English in particular, that the fate of the day more than once inclined in their favour, till the great superiority of numbers weighing down the balance, the English were at length compelled to retreat with some loss, but that of the Danes was much greater.

This check, the rudest they had for some time experienced, made the pirates more circumspect in their future operations, and seems to have determined them to desist for a while from further attempts; and towards the close of this year they returned home.

But as if Heaven was resolved to manifest its displeasure for the detestable piece of policy of which Ethelred and his subjects had been guilty, and which, however it may be glossed over by some too partial historians as an act of self-preservation and lawful retaliation, was, in strict truth, an infamous breach of faith, as well as a deed of shocking inhumanity; this unhappy land was afflicted the ensuing year with a terrible famine. "England, faith Florence, had never before experienced the like distress; numbers perished by this most dreadful scourge, and many of those, who had escaped the fury of the murdering Danes, perished for want."

No sooner had this destroying angel ended his commission, when the Danes appeared again upon our shores, threatening the total destruction of the land. Their fleet was first seen off Sandwich, in Kent, where they made a descent, and, as usual, marked their progress with fire and sword; but not all that Ethelred could do, who on this occasion had put himself at the head of an army, composed of the natives of Wessex and Mercia, could provoke them to a battle. Mindful of their late narrow escape, they continued their depredations at a distance from the English army; and whenever Ethelred was on the march towards them, they retired on board their ships, and stood out to sea. In this manner they baffled all the king's attempts to come up with them, and he saw his forces wearied out with fruitless marches and counter-marches during the autumn. Winter coming on, he was constrained to quit the field, and left the invaders at liberty to retire to the Isle of Wight with the great booty they had amassed in the course of their summer expedition. On Ethelred's return home he disbanded his troops, which, as they consisted of volunteers, who served at their own expence, were not to be kept together longer than the rod of danger was immediately hanging over them. This the Danes had probably foreseen; for no sooner was the royal army dispersed, which was about Christmas, A. D. 1006, than they, suddenly issuing from their retreat, came over into Hampshire, and began their ravages in that and the neighbouring counties. Secure of meeting with no opposition, they marched as far as Reading, in Berks, lighted all the way by the conflagrations of their own kindling, and advanced to Cuckamsby-hill, after having levelled Wallingford with the ground, and then returned to their fleet by another road. An army was suddenly raised at Kennet, in Wiltshire, to cut off their retreat; but this county being under the command of the traitor Edric, he found means

means to give the Danes timely notice of the intended motions of the English army, which they carefully avoided, and regained their ships without molestation.

Ethelred was then keeping his Christmas in Shropshire, as being the most distant from the theatre of blood and desolation: but, roused at length by the repeated cries of his subjects, he endeavoured to raise an army to relieve them from their oppression; yet when he had done so, some means were found by the traitors about him to render it useless. He summoned councils, but they either broke up without coming to any resolution, or proposed such measures as evidently tended to increase the misery of the nation. In this extremity, the king resolved to bribe those whom he could not withstand; accordingly an offer was made to Swein of thirty thousand pounds*, in consideration of which he agreed to indulge the English with another temporary respite†.

Ethelred, to be prepared against their return, ordered ships to be built all over the kingdom, every three hundred and ten tides of land being to furnish one; so that a greater fleet was now fitted out than had ever been known in this nation: for the people, sensible of the advantages they were to derive from these regulations, cheerfully contributed their several quotas. All the year 1007, and great part of 1008, were taken up in these matters; and in 1009 this mighty armament, being completed, rendezvoused at Sandwich, and the command of it was given by the king to Bright-ric, brother to Edric Streon, and, like him, a proud, insolent, faithless, and ambitious man.

Such a fleet and such vigorous measures under a prince of greater authority, or more beloved by his people than Ethelred was, might have made him glorious, and his nation happy; but the choice he made of his officers, whether owing to his own inabilities and want of knowledge, or his not daring to thwart in their pretensions those whom he had raised to a dangerous degree of power, defeated all the ends proposed by fitting out so chargeable a navy.

Brightric, presuming upon his own and his brother's interest at court, preferred a false accusation against another of Ethelred's principal officers, named Wulfnoth, a person of distinguished worth and courage, and therefore the object of his hatred. Wulfnoth, though conscious of his own innocence, yet, knowing the villainy of Brightric, and the weakness of Ethelred, resolved upon a voluntary banishment, rather than stand the issue of a trial; but at the same time was determined, Parthian like, to gall his enemies, even in his flight, and wrought so effectually on the minds of twenty commanders of the English fleet, by the odious lights in which he represented Brightric, and the danger that every brave man was in from his great sway at court, that these officers followed him with their ships, and all of them turning pyrates, infested the southern coasts of England, where they did as much mischief as the Danes. Brightric, enraged at this defection, the blame of which was loudly ascribed to his overbearing temper, resolved to strike a blow that should at once cover him with

glory, and glut his revenge against Wulfnoth. Full of this design, he put to sea with eighty sail, resolved to take his enemy either alive or dead; but Heaven, who never suffers perfidy to go unpunished, baffled all his views of glory and revenge, by a violent storm, which arising suddenly while he was in full chace of Wulfnoth and his squadron, stranded, wrecked, or sunk most of his ships; those that outlived the tempest fell into the hands of Wulfnoth. Thus ingloriously ended the last hopes of England, and thus did this mighty armament come to nothing, through the dissensions which prevailed among its commanders.

The Danes, who had been awed by the great naval preparations of the English from attempting an invasion, no sooner heard that they had thus played away the last stake they had for their liberties, than they put to sea, and, in the spring of 1009, landed with a large fleet at Sandwich, under the command of Turkul, while another squadron at the same time made a descent on the Isle of Thanet, headed by Haming and Anlaff. The three leaders joining their forces plundered the whole county of Kent, and would have laid the city of Canterbury in ashes, had not the inhabitants purchased their forbearance with a large sum of money.

Whilst the Danes were thus employed in the accustomed trade of pillaging, Ethelred drew together an army to make head against them, and as men who are blinded by avarice are always deaf to command, Ethelred had a fair opportunity of falling upon these robbers, while carelessly dispersed in parties for the sake of plunder, and, by one seasonable blow, have relieved his bleeding country, at least for a time, from all the miseries which it laboured under. But his untoward fate, which never abandoned him, made him in this instance rely on the advice of the arch-traitor, Edric, his constant attendant, who represented to him that it was better to let them pass with their booty unmolested to their ships, than hazard a battle that might prove fatal to his crown and life. The infatuated Ethelred, with whose own low fears this counsel but too aptly coincided, readily acquiesced; and thus the English lost that irretrievable opportunity. The Danes, having got safe to their ships, returned to the Isle of Thanet, where they took up their winter quarters, and from thence ravaged the adjacent countries, and made several attacks upon the city of London, though always without success, owing to the bravery of its citizens.

In the spring, A.D. 1010, we find them landing at Ipswich, where they surprised the brave Ulfketel, the only faithful general Ethelred had, who lay encamped there with his army, having under him in the command one Thurketyl Myranheafod (or the Ant-headed): this fellow proved an errant coward, or rather traitor; for the instant the Danes landed, and were on the march towards him, he set spurs to his horse, and betook himself to a shameful flight. This conduct in one of their leaders struck the English with such a panic, that, breaking their ranks, each man sought his own safety, and not all the efforts of the gallant Ulfketel and the rest of the officers could bring them

* So say the Saxon Chronicle, W. of Malmesbury, and most of our antient historians; but Milton, Carte, and Smollett, have it 36,000.

† In the beginning of the year 1007.

to rally; the Danes falling upon them in this confusion, slaughtered them like sheep. Ethelstan, the king's son, Ulfketel, and several noble persons were slain, endeavouring to bring the runaways to a sense of their duty; and the whole country was left open to the fury of the victors, who, being now masters of East Anglia, found there a sufficient number of horses to mount their troops that hitherto had fought on foot, and by this advantage were enabled to extend their incursions at pleasure, which they did all over Essex, Huntingdon, Oxfordshire*, Buckingham, Bedford, and Hertfordshires; they afterwards penetrated into Northamptonshire, destroyed the town of Northampton by fire, and then bending their march through Wessex and Wiltshire, spread slaughter and devastation where-ever they passed, till winter put a short stop to their ravages.

The returning year, 1011, however, brought them back again, when they renewed their former havock in the same counties, while the pusillanimous Ethelred, instead of attempting to oppose their progress, kept himself close shut up in London, which city, and Canterbury, were the only places of note that remained in his power; and the latter soon after fell into the hands of the Danes, by the treachery of one Æalmar, a monk, who took an opportunity to let them in while the soldiers were busied in extinguishing the flames which had caught in several places in the city from the fire-balls that had been thrown into it by the enemy. On this occasion the archbishop Alphege was murdered† by the barbarians, who likewise slew nine out of every ten Augustine monks‡, whom they found in the place, and, after pillaging the city, they burned it to ashes.

The brutalities exercised by the Danes, when the city fell into their hands, exceed all conception. Simon of Durham tells us, that they threw some of the unhappy captives over the wall, roasted others alive, hung up others by their private parts, tore the infants from their mother's breasts, some of which they tossed on spears, with all the wantonness of barbarity, while others were laid under the wheels of carts, which were drawn over them; matrons and virgins were dragged naked through the streets, and prostituted with such circumstances as are shocking to nature. It is a melancholy instance of the depravity of the human heart, that the very wretch, who, by his perfidy, had been the cause of these complicated miseries to his countrymen, had a very short time before this event been indebted for his own life to the archbishop Alphege.

Ethelred, finding the nation reduced to this deplorable state, summoned a council of all the great men of his kingdom at London, A. D. 1012, in order to consult what was most proper to be done in the present emergency; when, after many different councils, no better expedient could be de-

vised, but that of bribing the enemy with a sum of money sufficiently large to satisfy their avarice, and induce them to desist from further ravages; and by the advice of Edric it was agreed to pay them forty-eight thousand pounds||, which, as soon as they had received, their armies and fleet divided. Turkul, with forty-five sail, stayed at London, and submitted to Ethelred, the crew promising to defend him against all invaders, on condition he would furnish them only with provisions and cloathing during the time they remained in his service.

The perfidious Danes, however, did not suffer our unhappy countrymen to taste the sweets of peace for any length of time; for, in the spring of 1013, Swein came again with his fleet off Sandwich: however, he did not attempt to land there; but continuing his route, sailed for the Humber, and landed at Gainsborough. No sooner had he set foot on shore, than Uthred, earl of Northumberland, with the whole county under his command, voluntarily submitted to him. Their example was followed by all the country north of Watlingstreet. The progress of Swein, after this, seems to have been very rapid; and, as he always grew furious upon resistance, he bent the chief of his resentment against the inhabitants of Mercia, who, together with the Londoners, had held out with the greatest bravery. Having mounted his men on horses, which he obliged the inhabitants of those countries that had submitted, to furnish him with, he then marched into Oxford, and made himself master of that place. From thence he led his troops to Winchester, where the inhabitants threw open the gates to receive him at his first approach.

Flushed with success, he determined to proceed to London, not doubting but this place would prove as easy a conquest as those he had already subdued; but here he found his former good fortune somewhat fail him; for, in the first place, he lost a considerable number of his men in crossing the river Thames, and when he presented himself before the walls of London, he found the brave citizens determined to hold out to the last extremity. Animated by the presence of their king, they rushed upon death for liberty, thinking that they could never merit forgiveness, should they deliver up their sovereign, who had thrown himself into their arms for protection. On the other hand, the Danes, elate with former victories, and thinking that the taking of London would finish the conquest of England, made hope of glory and riches an incentive to courage; so that both sides fought with the greatest fury; but that of the English was crowned with victory, through the astonishing valour of the citizens. The Dane was obliged to raise the siege, and retire with the shattered remains of his army to Bath. In one of the sallies made by the besieged, Swein himself narrowly escaped falling into their hands.

* The city of Oxford being burnt that year by the Danes, all studies ceased there till the year 1133. *Tho. Redburn.*

† Tindal, in his notes upon Rapin, says, that he was killed at Greenwich, to which place (the station of their ships) the Danes had brought him prisoner. And that in the present church of Greenwich (that which is now called the Old Church) on the top of the partition wall, between the nave of the church and the chancel, is this inscription, "This church was erected and dedicated to the glory of God, and the memory of St. Alphege, archbishop of Canterbury, here slain by

the Danes, because he would not ransom his life by an unreasonable sum of money." The Saxon annals relate, that Arnolth and Ælfhume, bishops of Lincoln and London, carried his body away the next morning, and buried it in St. Paul's cathedral.

‡ Florence of Worcester saith, the burghers were served in the same manner; so that only four monks and about eight hundred laymen were left alive.

|| The Saxon Chron. and Speed compute it only at eight thousand pounds, which must be a mistake.

The Danish foldiers were fo exasperated at this defeat, and at finding all their hopes of a vast booty baffled, that they redoubled their ravages all the way as they retreated. This fo intimidated the English, that Ethelmar, earl of Cornwall, with most of the West Saxon nobility, repaired to Swein at Bath, and gave him hostages for their fidelity. Swein, having now reduced all England, London excepted, to his obedience, or at least overawed it by his power, returned to his ships, having first assumed the title of king of England. However, as he could not rest satisfied whilst London held out against him, he resolved to attack it once more. But whilst he was making formidable preparations for this siege, the Londoners, sensible that they were in no condition to make a long resistance, and that the appearance of one would only serve to subject them to the merciless revenge of an irritated enemy, they determined to follow the example of the rest of the kingdom, and accordingly sent deputies to make their submission, offering hostages for their future pacific behaviour.

The unfortunate Ethelred, say our historians, betrayed by his dukes, deserted by all, and seeing little hopes of safety any where, and, dreading least he should be sold into the hands of his enemy, went first on board Turkull's fleet in his service, then lying at Greenwich, and afterwards passed over to the Isle of Wight. From hence he sent his queen Emma, with his two sons Edward and Alfred, into Normandy, in order to try the pulse of her brother Richard, duke of that country, and whether he was inclinable to grant him a secure asylum in case he should find it necessary to quit his kingdom entirely. The negotiations of Emma proved as successful as could be wished; and Richard, who was a prince of great magnanimity, invited Ethelred over in the most affectionate manner, with a full assurance of safety, and some hopes of succours. Accordingly he went over to Rouen, and left his kingdom to the mercy of the conqueror.

Speed relates that Ethelred, when he came to the Isle of Wight, called together the few men of any rank, who still followed his fortunes, and harangued them in the following speech, which we shall here transcribe for the entertainment of our readers, on account of its curiosity, without pretending to vouch for its being authentic. "If I myself was void of a paternal regard for the defence of the kingdom, or the administration of justice; or even if ye yourselves were defective in courage for the defence of your native country; I should have brooded over my calamities in silence, and given myself up a prey to dejection. But as this is not the case, I have formed a resolution to rush into the midst of the enemy, and sacrifice my life to my kingdom and my crown. I am certain you must esteem that death to be honourable which is purchased in defence of the liberties of our relations and posterity. Let us then, one and all, resolve to die in so noble a cause. I see that we are abandoned by God, and providence; and that our ruin is arrived to its crisis. We are not overcome by the swords, or courage of the enemy, but by the treason and perfidy of our friends. Our navy is betrayed into the hands of the Danes; our armies are weakened by the revolt of our officers; our designs betrayed to the adversary by our

counsellors; who, instead of extricating us from our troubles, are continually persuading us to infamous treaties. I myself am disesteemed, and contemptuously termed Ethelred the Unready: your valour and loyalty is rendered ineffectual by the treachery of your leaders, and our poverty yearly aggravated by the payment of Danegelt, which God only knoweth how we are to redress, though it is our duty to make the trial. In vain do we purchase a peace with money, in vain do we oblige the Danes to confirm it by oaths. Regardless of God and man, they break through the most sacred sanctions, and pay not the least regard to equity, to the laws of war, or the laws of nations. So far are we from any prospect of an alteration in our circumstances to our advantage, that we have the greatest reason to fear the loss of our kingdom, and the utter extinction of the English name and reputation. Seeing therefore our enemies are not at a distance, and their swords are close to our throats; let us, by our wisdom and prudence, rescue ourselves from danger, or else courageously sheath our swords in the bowels of our enemies. Either of these expedients I shall adopt with the greatest readiness, in order to preserve the state, and snatch the nation from irrecoverable ruin." Our author informs us, "that this pathetic speech affected the audience, but filled them at the same time with distraction. However, they concluded that it would be in vain to hazard an engagement, which might be defeated by treachery; to surrender themselves to the enemy would be to anticipate their servitude and misery; and to flee before them their eternal ignominy and reproach*."

William of Malmesbury will have it, that the submission of the Londoners to Swein was entirely owing to this inglorious resolve in their king, of whose degeneracy they were ashamed, and that they would have held out to the last, though all England had yielded to the conqueror, had not Ethelred abandoned them. This is much more probable, and bears a greater conformity to the approved fidelity of the inhabitants of that capital, and the dastardly disposition of the prince, who had taken refuge within their walls, than the confused accounts we have of this matter from Simeon of Durham, and the annalists, who nevertheless do not contradict the fact.

But as the minds of the English are of all people the most susceptible of another's distress, however merited, this inglorious abdication was so far from bringing Ethelred into contempt, that it awakened in the hearts of his subjects every sentiment of pity and compassion for his fallen estate, which were in no wise lessened by the treatment they received from their new master Swein, who was every day burthening them with fresh impositions for the payment of the Danish troops who had assisted him in his conquests.

Our historians seem very much in the dark with regard to the personal story of this prince, who certainly was no king of England, notwithstanding that some authors have been fond of ranking him as such; for, besides his never having been crowned, there are no traces of any one act of civil authority exercised by him: but indeed his whole story, and that part which relates to his death in particular, is an absolute collection of

* Speed. Edit. III. B. VII. c. 44. p. 364.

legendary absurdities *. Some say he died a natural death, being choaked with rheum; others say he was poisoned. Whatever was the cause, it is certain that he died suddenly on the third of February, A. D. 1014, at Gainsborough in Lincolnshire, only six weeks after he had been acknowledged as sovereign of England, upon the abdication of Ethelred.

Immediately upon his death the Danes proclaimed his son Canute king of England: but the tide of popular affection began now to run very strong in favour of the self-exiled Ethelred; and it was resolved, in a general assembly of the leading men of the nation, to recall him, and place him once more on the throne: but they knew his disposition too well to do it without terms; accordingly ambassadors were deputed to acquaint him with the happy turn of affairs, and to make a tender of their allegiance and affection, provided he would amend his government, throw off that indolence which had proved the destruction of his kingdom, and rule with justice, equity, and moderation; all which Ethelred promised in the most solemn manner.

In consequence of these measures Canute was declared an outlaw; and Ethelred, returning soon after, was received by his own subjects with every demonstration of joy and fidelity, and in a short time found himself at the head of a brave and numerous army, with which he immediately marched towards Canute, then encamped at Gainsborough, who, finding himself in no condition to withstand the force Ethelred was bringing against him, determined to quit the kingdom; and accordingly hoisted sail to take possession of the crown of Denmark, now vacant by the death of his father Swein.

We cannot in this place forbear testifying our surprize, that none of our English historians of those times should have assigned reasons for this sudden going off of Canute, who had never been worsted, and had still many strong places in the kingdom in his hands; but, though our English history is silent on this head, the Danish accounts for his proceedings very clearly: for it informs us, that Canute had a younger brother, named Harold, who, having been made regent in the absence of his father Swein, seized upon the kingdom for himself. It was this that obliged Canute to leave England in so hasty a manner as seemed rather to proceed from his fears, than the effect of sound politics; which latter was however the case: for what prince of common prudence would have resolved to leave the kingdom of his ancestors in the hand of an usurper, for the sake of contesting a foreign crown in a country newly conquered, and

whose inhabitants seemed determined to support their own prince, whom they had lately recalled at the expence of their lives and fortunes? Besides, should the event of war prove unfavourable to him, what hopes could he entertain of having succours from Denmark, whilst that kingdom was in the hands of his brother? The subsequent conduct of Canute plainly evinced that the step he had now taken proceeded from very different motives to those of fear, which have been generally laid to his charge; for no sooner had he settled his affairs in the North, than he returned with his victorious troops to England. But, to proceed with our history.

As soon as Ethelred found himself freed from his dreaded enemies the Danes, regardless of the promises he had made to his subjects on his readmission, he gave a loose to his arbitrary and avaricious temper, loaded them with the most burdensome taxes, and, in a word, governed in a manner the very reverse of what he had so solemnly vowed to do; and, as if he thought these public acts of infidelity and oppression were not sufficient to alienate the minds of his subjects from him again, he added one of a private nature that rendered him for ever detestable to all good and honest men in the nation, and revived all the former dissensions between him and his people.

There was at this time, A. D. 1015 †, at Ethelred's court, two noblemen, named Sigeforth and Morcar, who were of Danish extraction, and so strongly attached to the king, that their fidelity, which should have been their protection, determined the traitor Edric to compass their ruin. This wretch had still address or power enough to retain a strong hold in Ethelred's affections; and, having constant access to his person, he privately accused these noblemen of holding a correspondence with the enemies of their country, and having formed a design against the king's life, Ethelred, whose mind was susceptible of any impressions that artful villainy might endeavour to make on it, firmly believed the nefarious tale told him by his favourite; but, knowing how well these noblemen were beloved by the people, he was apprehensive that a public execution might be attended with fatal consequences to his own authority; and therefore intimated his wish, that they could be privately made away with. The vile Edric, ever ready when deeds of blood or treachery were on foot, took upon himself the conduct of this matter. Under a shew of respectful regard, he invited Sigeforth and Morcar to an entertainment at his own house, where, contrary to the laws of honour and hospitality, he had them murdered. Ethelred was no sooner satisfied of their death,

* Florence of Worcester relates the manner of his death as follows: Swein, while he was encamped at Gainsborough, called a general assembly of his great officers, to whom he declared his intention of sending out a party the next day to plunder and burn the adjacent monastery of Bradicesworth. Scarce had he uttered these words, when, on a sudden, he cried out with great vehemence, Help! help! fellow soldier! See! here is king Edmund coming to kill me! and so saying, he was instantly struck with a mortal blow by St. Edmund, and lay in great torment till the next morning, when he expired. But John of Tinmouth, in his *Hist. aurea*, makes St. Edmund's ghost to have stabbed him with a dagger as he sat in his chair. William of Malmesbury says, that St. Edmund appeared to him in his sleep, and smote him while he was in bed, for answering him rudely; but all agree his death to have been oc-

casioned by a blow, which he received from St. Edmund. Such are the reports of the old historians. The truth seems to be this, that some of his great men, jealous of the vast accession of power Swein was about to acquire, by having the dominion of England added to that of his own kingdom, and fearing that they should no longer be able to maintain the same authority as they had heretofore done when he was only sovereign of the kingdom of Denmark, hired some ruffian to stab him privately, who afterwards escaping, the monks of St. Edmund's-Bury invented this legend to honour their saint, and deter others from daring to violate the place of their settlement.

† This year a prodigious inundation of the sea happened all along the coast, overflowing several cities and sweeping off great numbers of the inhabitants.

than he sent his son Edmund to seize their estates, and at the same time commanded Elgitha, the widow of Sigeforth, to be confined in the monastery of Malmesbury*.

The calm enjoyed by England, after the retreat of Canute, was of very short duration; for having recovered the throne from his brother Harold, he returned with redoubled force to England, and landed at Sandwich, the usual entering port to the Danish invaders. Afterwards, sailing round Kent, he landed his troops in the country of the West Saxons, and ravaged Wiltshire, Dorsetshire, and Somersetshire.

In the mean time, Edmund, Ethelred's son, levied a considerable body of troops in the North by his own interest, while Edric, at the head of another body in the South, acted as commander in chief under the king. When the two armies came in sight of the Danes, and every thing was prepared for coming to an engagement with the enemy, Edmund received advice that the villainous duke of Mercia had formed a plot for taking him off; which he no sooner heard than he drew off the body of troops he commanded to a place of safety. By this division the Dane was left master of the field. Edric, finding his treachery now discovered beyond a possibility of palliation, and that the eyes even of the infatuated Ethelred were at length opened to his baseness, determined to throw off the mask he could no longer wear with security, and openly to side with those to whom he had all along been a friend in secret, against every dictate of honour, gratitude, and fidelity. Accordingly, having found means to gain over forty of Ethelred's ships from their allegiance, he went on board them, and joined Canute's fleet. His defection was followed by that of the greatest part of the West Saxons, with whom he had a powerful interest, and who now declared for Canute, sending him hostages for their fidelity†.

Upon being thus powerfully reinforced, we find Canute, A. D. 1016, advancing towards the Thames with an hundred and sixty sail, headed by himself and Edric; and passing over into the Mercian dominions as far as Cricklade, in Wiltshire, and then turning into Warwickshire, he spread ruin and desolation where-ever he went. The generous soul of Edmund was penetrated with the distresses of his country, and he resolved once more to try the fortune of the field against these ruthless invaders. Not content with forming these noble and patriotic resolutions in his own breast, he left nothing untried to rouse the indolent and desponding spirit of his father Ethelred, who was at length persuaded, by the generous remonstrances of his son, to put himself at the head of his armies, and attempt a decisive blow, that might prove the means of retrieving his affairs.

No sooner were the king's intentions of taking the field in person made known to the people, than they strove who should be foremost in repairing to

the royal standard; being also more especially moved thereto by hearing that Edmund, for whom they had the highest love and veneration, was to be his father's colleague in the command. In a word, a very great army was speedily raised, and the hour seemed now drawing nigh when the harassed English would once more recover their former ease and independency by driving the barbarous disturbers of their quiet headlong out of the kingdom; but, by a strange fatality, Ethelred again became the dupe of treachery and his own irresolution. The Danes had still emissaries about his person, who were incessantly taking advantage of his fears; and, on this occasion, they found means to persuade him that a plot was formed against his life and government. The credulous monarch gave into the snare; and notwithstanding all the remonstrances of his son Edmund, and the repeated asseverations of fidelity from his nobles and people, with their solemn declarations of standing by him to the last man, he most ingloriously and ungratefully deserted them in this critical juncture, and retiring with a shameful precipitation to London, there shut himself up. Upon this the Mercians refused to fight, when they were no longer to be headed by the king agreeable to his promise, and withdrew their forces. The gallant Edmund, seeing himself thus robbed of his glory in the very instant that it was within his grasp, and that the destruction of the Danes seemed inevitable, and perceiving it was not now in his power to stop the progress of the enemy, resolved to go and join Uthred, earl of Northumberland, who had levied some troops in the North, and they together ravaged those provinces that had declared for the Danes. Canute, alarmed at the danger which threatened his adherents in those parts, marched with all expedition to their relief, and advanced as far as York. Uthred, terrified at the approach of this formidable enemy, to whom he found himself greatly inferior, resolved to deprecate his fury by an act of submission, and sent hostages to answer for his obedience. But the Dane, who had experienced the valour and enterprising spirit of this nobleman, and was, moreover, distrustful of his sincerity, had him put to death, and bestowed his large possessions on one Eric, a Danish chieftain, who afterwards, by his haughty and turbulent behaviour, obliged Canute to drive him into exile.

Edmund, thus deserted on all sides, had no other place of refuge but London, whither he repaired with all speed, in hopes of prevailing on his father to take more vigorous measures. He arrived in a most critical juncture; for Ethelred was then dangerously ill of a disorder of which he shortly after died on Monday, April 23, A. D. 1016, in the fiftieth year of his age and the thirty-seventh of his reign‡, just as the victorious Canute was preparing to besiege London by land and water.

* To this confinement, however, she afterwards owed her elevated fortune; for Edmund, the king's eldest son, chancing to pass by the place where she was confined, had the curiosity to visit a lady, of whose beauty he had heard a very favourable report, and became so enamoured of her, that he married her without his father's consent.

† We are told by some historians, that about this time Turkul, who was now on the side of the Danes, defeated the English at a place called Scoraftan, and that the governor of

Norway, making an inroad into another part of the kingdom, carried off great booty, and both those leaders returning to their ships joined Canute.

‡ He was interred in St. Paul's cathedral, where in Speed's time his bones were still remaining in the north wall of the chancel, deposited in a chest of grey marble, supported with four pillars covered with a coped stone of the same, near which was the monument of Sebba, king of the East Saxons.

This prince's character is variously drawn, according to the different prejudices of those who have undertaken the portrait. Some ascribing the reports of his indolence, inactivity, and inglorious conduct, to the false representations of the monks, to whom he was assuredly no friend, have painted him in all the affecting lights of a betrayed and injured monarch, whose misfortunes were more owing to the treachery of his friends than a want of personal bravery in himself; and that his greatest fault was that of being unfortunate: while others again will not admit of these palliative arguments; but tell us roundly, that he was debauched in his principles, weak in his intellects, irresolute in his conduct, and dastardly in his disposition. It is difficult at this distance of time to reconcile these jarring accounts; but, upon a fair retrospect into his reign, the intelligent reader will find, that his vices and weaknesses were accompanied with some virtues and talents, that in less troublesome times might have proved a blessing and ornament to the nation he governed. The extreme fondness he shewed for the villain Eric, admits of no palliation; for had that traitor had a timely dismissal, the ruin of the nation would in all probability have been protracted, if not prevented. It is equally true, that the massacre of the Danes threw an indelible stain upon his reign; but a prince of a stronger head and firmer virtue might have been imposed upon by the specious reasonings of traitorous counsellors, coinciding with his own natural timidity. On the other hand, it is certain that Ethelred gave proofs that he had the good of his people at heart, by enacting several excellent and just laws, by which the property of the subject was secured from all oppressive or illegal innovations. The favours which he shewed to married priests, in opposition to the monkish clergy, are strong indications of the regard he had for religion, and demonstrate that his zeal was actuated by prudence, and directed by knowledge. Upon the whole then, we may candidly infer, that if Ethelred was not the *best*, he was far from being the *worst* king that has swayed the English sceptre.

In his person he was fair, comely, and genteel, of a polite address, affable in his behaviour, and open in his disposition. His issue, according to Speed, was as follows:

By his first wife Elgiva, the daughter of an English duke named Thored, he had Edmund, who succeeded him on the throne; Athelstan, who died an infant; Egbert, who also died young; Edwy, who survived his father and all his brethren, and lived in the reign of Canute I. who, being apprehensive of being disturbed by Edwy and others of the English blood-royal, practised to have him murdered, which was accordingly treacherously accomplished in the year 1017. He had also three daughters, the first called Edgitha, married to an English count, who was slain in a battle against the Danes; Edgiva, who fell to the lot of that arch-traitor, Eadric Streon, duke of Mercia, and Elfgina, who was wife to Uthred, count of Northumberland. By Emma of Normandy, his second wife, he had two sons, Alfred and Edward, whom their mother sent into her own country immediately after their father's death; and a daughter called Goda, who first married Walter, count of Maine, and afterwards Eustace, count of Boulogne.

EDMUND II. surnamed IRONSIDE, A.D. 1016.

THE many proofs of abilities and courage which Edmund had given in the life-time of his father, had so conciliated all minds in his favour, that notwithstanding the fierce Dane was thundering at the gates of their capital, the nobility and chief citizens, who remained at London, assembled together, and with one voice proclaimed him king; their loyalty to the blood of Cerdic getting the better, on this occasion, of their apprehensions of Canute's power; and he was soon after crowned by Livignus, archbishop of Canterbury. But the rest of the bishops and clergy following the current of the times, on being summoned by Canute to Southampton, declared for him, and solemnly renounced the race of Ethelred, but not till they had previously obliged the Dane to give them his oath to govern uprightly and justly in all matters, both secular and religious. Mean while Edmund, marching into Wessex, received the oath of allegiance from the inhabitants of that and several other provinces; so that he found himself still in a condition to dispute the possession of the crown with his rival.

Canute, however, well apprised of the vast importance that the possession of London was to Edmund's affairs, determined to leave nothing undone to get that capital into his hands. With this view he sailed up the river as high as Greenwich, where, debarking his troops, he marched to London, and laid siege to it. Some authors tell us, that in order to distress the inhabitants more effectually, he cut a deep trench on the southern side of the river, by which he drained off a great part of the water; so that his ships lay in a manner dry, almost opposite to the city, by which means he cut off all supply of provisions to the besieged town, by the east, west, and south. Nevertheless, the citizens made the most vigorous resistance, and thereby gave Edmund time to come with a numerous army out of Wessex, to the relief of the city, which, when Canute heard, he pressed the siege with unremitting ardour, but always with loss to himself, through the inflexible bravery and perseverance of those within. At length, despairing of success, and apprehensive of being hemmed in between Edmund's army and the town, he raised the siege, and marched to meet that prince, in hopes of drawing him to an engagement before his army should be increased by the succours that were daily joining him in his march. But Edmund continuing his rout, and both armies meeting at a place called Gillingham in Somersetshire, a battle was there fought, which proved extremely bloody, and in which each party gave proofs of their consummate military knowledge and prowess; but at length victory declaring on the side of the English, Canute drew off his forces, and retired to Winchester, where he shut himself up till his army was recruited. From thence he issued his orders to another body of his Danes to lay siege to Salisbury.

This last victory having greatly increased the number of Edmund's forces, he set out about Midsummer to the relief of Salisbury; but Canute, who was by this time reinforced, followed him, and offered battle. Edmund, no less desirous than the Dane of ending their dispute by a decisive action, waited for the enemy at a place called

Scearstan*, where both armies soon met. Canute, at the head of his Danes, had under him the traitor Edric Streon, with Ælmer and Ælgar, two noblemen who had come over to his party, and commanded the men of Wilts and Hampshire. He was also joined by great numbers of people from other parts of the kingdom, whom either their affection to the Danish race, their reverence for the clergy, or their aversion for the memory of Ethelred, had induced to take part in the war against his son and successor. On the other side, Edmund was followed by the inhabitants of Dorsetshire, Cornwall, Devon, and Somersetshire. On this occasion † the opposite princes were well matched in courage, conduct, and experience, and both armies were nearly equal in strength, though the Danes had manifestly the advantage in point of discipline. Both kings chose their ground to the best advantage, each harangued his men in that strain which was most likely to animate to dominion and conquest, as the reward of toils and labour, or encourage to the preservation of liberty, their laws, their children, and their country. The trumpets giving the signal, each side made a short but awful pause, meditating on the part they were to act, and considering that on the issue of that day depended freedom or slavery, glory and ignominy, and that they were now to fall by the swords, or triumph in the deaths of their nearest relations or dearest friends. But the shock of battle soon banishing all reflections, a desperate fight ensued, in which rank closing with rank, disputed every inch of the bloody field with more than human rage. The gallant Edmund seemed present in a thousand places, and to stake a thousand lives on one cast. All his troops equally witnessed his valour, and equally trembled for his safety. Such, indeed, was the conduct and courage that he displayed on this occasion, that the fate of the day must soon have succeeded to his wish, had he not had Canute to encounter as an enemy; but the Dane's experience and the veteran boldness of his troops, enured to slaughter, and trained up in the art of death, for that time balanced the victory, and the ardour of both sides outlasting the day, the combatants unwillingly retired; and rather to meditate new revenge than for the purposes of repose.

Next day the fight was renewed with double fury, and Edmund's valorous efforts, seconded by the intrepid prowess of his gallant Englishmen, had already charmed victory over to their standard, when the traitor Edric bethought him of a stratagem which damped the ardour of those glorious assertors of their liberty, and for a while threw the advantage on the side of the Danes. He cut off the head of one Osmar, who nearly resembled Edmund, and raising it on the point of a spear, called aloud to the astonished English, "Yield! and save your lives! See here! the head of your king." This contrivance had for a while the desired effect; and the irresolute pause which this heart-wounding sight occasioned, gave the broken Danes an opportunity of rallying, and returning to the onset. But no sooner did this news reach Edmund's ears, than, throwing up his beaver, he flew like lightning to shew himself to his amazed troops, who instantly

felt their former courage re-animated, and prepared to make their enemies pay dearly for the deceit they had put upon them: however, the advantage the Danes gained by this stratagem, enabled them to maintain the combat till darkness once more put an end to the fight.

Edmund, not a whit discouraged with the change of fortune thus obtained by deception, and well-knowing that but for such a device victory must have declared entirely in his favour, was preparing to renew the battle with the returning light; but Canute, convinced of the strength of the enemy, chose not to venture a third engagement, but took the opportunity of the night to march off secretly, and join the rest of his forces, who now formed the blockade of the city of London. Edmund, knowing that Canute was by this junction become much superior to any force he could at that time lead against him, returned back into Wessex, in order to recruit his army, which had been greatly weakened by the late bloody conflict.

While he was thus employed, Edric, the infamous Edric, whose repeated acts of treachery had, one would imagine, destroyed all possibility of putting any future confidence in him, now made use of a feigned submission, accompanied with the most artful insinuations of being able from his knowledge of the Danish counsels to obliterate by his future services, the remembrance of his past perfidy, and sued to be once more restored to favour, which petition Edmund too generously granted; and for which he has been accused of unpardonable weakness by most historians: however, he might perhaps have been induced to take this wrong step from his knowledge of the great interest of this bad man, and a desire of having him in his own power. Be that as it may, Edric was reinstated in the good graces of Edmund, who, having now recruited his army, set out to relieve his capital, which was closely pressed by the Danes. Upon his approach the enemy raised the siege, and part of them retired on board their ships, while another part advanced up the river to Brentford, where they encamped. Edmund, determined to give them no respite, followed close at their heels, crossed the river in their sight, and fell upon them with such fury, that they were unable to sustain the attack, and, throwing down their arms, betook themselves to flight. Great as was the loss of the Danes on this occasion, the inconsiderate ardour of the English cost a number of their gallant troops their lives, who were drowned in the river as they were furiously pursuing the flying foe.

Edmund therefore was again compelled to return into Wessex to fill up his ranks; and Canute, bent upon reducing London at all events, took advantage of his absence to renew the siege of that place; but with the same bad success as heretofore, for the citizens still repelled him with great loss. Finding at length that all hopes of carrying the city were vain, he again decamped, and going on board his fleet sailed round to the coast of Suffolk, which he ravaged for some time with all the fury that his former disappointments could inspire; and then betaking himself again to his ships, he directed his course to the mouth of the Medway, and

* By Camden supposed to be Sherston in Wiltshire; others think it to be the place where four stones, called Shire Stones, part the four counties of Oxford, Gloucester, Worcester, and

Warwick.

† The account of this battle is taken from Simeon of Durham.

landing the horse, scoured the whole county of Kent, till Edmund, apprised of these depredations, crossed the Thames with a strong body of troops, and arriving in Kent by hasty marches, he came up with the Danish horse at Ottenford, drove them back with great slaughter into the Isle of Sheepey, and had it now in his power to have totally ruined the barbarians, had he not with a strange infatuation listened to the advice of Edric, who, under the most specious pretences, persuaded him to put a stop to the pursuit of the flying enemy, who by that means had an opportunity given them to get safe to their ships, and pass over into Essex, where they recruited their forces.

It was not long however before Edmund overtook them again at Ashdown*, where their several parties being united, the Danes had a strong force in the field, and a bloody engagement ensued between the rival armies, wherein the advantage inclined visibly to the side of the English: but the fortunes of Edmund were again wrecked upon that rock, which had so often proved fatal to his father and himself; for Edric, treacherously giving way with the wing under his command, struck such a terror into the rest of the army, that the Danes, attacking the other wing with all their force, made a terrible slaughter of the betrayed English. Some prelates†, the brave Ulfketel, earl of East Anglia, the eoldermen Ælfrith and Godwin, and several others of the flower of Edmund's nobility, were left dead on the field. The king himself was obliged to retire, almost without attendants, to Gloucester, in order to make new levies, in which he succeeded, even beyond his most sanguine hopes: so sure is it that a monarch who shews he sets no value upon his own life, when it is to be risked for the good of his subjects, may ever depend upon their sacrificing theirs in the defence of his person and dignity.

Canute, who, after the last important victory, looked upon himself as invincible, lost no time in following Edmund, in order to prevent him from retrieving his affairs; but that prince, who had an inexhaustible resource in the loyalty and affections of his people, especially the Londoners, was already at the head of an army, sufficiently strong to face his enemy in the field. Canute was far on his way towards the place of the king's retirement, when he heard how suddenly and amply he had recruited his forces; it was therefore too late to recede, and he determined to stake all on this last effort. The two armies came in sight, and both kings stood opposite to each other for some time, without giving the signal for the onset, when a captain of the English army (Hovenden will have it to be Edric) stepped forward, and in a set speech represented the equality of the two kings with respect to personal courage, the vast effusion of

blood which their quarrel had already caused, and the carnage which was that day likely to ensue; shewed at the same time the little probability there was of determining the war by pitched battles; and concluded with proposing that the two princes should decide the fate of the day, and their own pretensions, by single combat; and that whoever had the victory should be acknowledged as sovereign by both parties. This proposal met with universal approbation, and in an instant the air was rent with the general cry of "Let them either fight or agree." Both kings, being thus informed of the sense of their people, cheerfully submitted to the wished-for decision, and retired together to the Isle of Alney‡, while their troops remained drawn up on either side of the river, impatiently waiting the event. The combatants having broken their spears, each drew forth his sword, and they fought for some time with equal skill and valour: at length Canute, finding that he began to lose breath, and that Edmund had greatly the advantage of him in bodily strength, and the activity of youth, proposed a partition of the kingdom, which he enforced with many fair arguments of mutual and general benefit. The generous Edmund readily accepted the proffer, and the two princes embraced each other in the most cordial manner, while both armies sent up a shout of undissembled joy at so unexpected and so desirable a sight. Then Canute and Edmund made a mutual interchange of their cloaths and armour, in token of friendship; and the treaty was formally concluded in the presence of the nobles and principal men of both nations, the terms of which were, that Edmund should retain the city of London, all Wessex, East Anglia, and Essex, with all the country southward of the Thames, together with the title of king of England; and that the residue, containing all the northern parts, where the Danes had been formerly settled, was to be the portion of Canute ||.

Peace being thus made between the two contending chiefs, the Danes entered into a treaty with the Londoners, for leave to take up their winter-quarters in that city, on paying a certain sum. But the faithless Edric, who placed his only hopes of riches and honour in the destruction of his country, beheld this union of the two potentates with an evil eye, justly apprehending that Edmund, being now delivered from so troublesome a war, would have leisure to bring him to condign punishment for his manifold villainies and treasons. He therefore, with a diabolical prudence, resolved to prevent the ruin he foresaw; and having by great bribes prevailed on two ruffians to act whatever he should think proper to dictate to them, they, by his orders, took an opportunity to assassinate king Edmund, when alone in private, who thus fell a victim to the base artifices of the most

* Near Billericay in Essex. Canute built a church here in memory of this battle.

† The names of the prelates were bishop Eadnoth and the abbot Wulfage, who, we are told by Simeon of Durham, did not come to fight but to pray.

‡ An island in the river Severn, near Dearhurst; but some writers will have the theatre of this action to have been in an island of that name near Gloucester, between Overbridge and Malsmore.

|| The Saxon annals, the author of the *Encomium Emmae*, Florence of Worcester, and the MSS authors in the Cottonian library, agree, that a peace was made without an engagement

between the two armies, but deny the duel between the two kings. William of Malmesbury confirms the challenge from Edmund to Canute; but adds, "that the latter refused it on account of the superior strength of Ironside, and therefore proposed the partition already mentioned, as the most equitable way of terminating the difference between them, which proposal being accepted by Edmund with some reluctance, a peace was immediately concluded, and the Danes suffered to retire on board their ships with all their plunder."

The Saxon annals tell us furthermore, that by this treaty the English were to reimburse to the Danes the expences of their naval armament.

abandoned of all miscreants, when he had not sat above a year on the throne*, which short space of time he had filled in such a manner as demonstrated him a person of strict justice, great benevolence, sublime generosity, intrepid courage, and invincible patience. In a word, he seemed to have been formed by nature to extend the glory of his kingdom, and the happiness of his people, though he did but just shew him to England, that it might the more bitterly lament his loss, without being profited by his virtues. With these amiable qualifications of the mind he possessed the gift of bodily strength to so great a degree, as from thence to have acquired the name of Ironside.

The execrable Edric was the first who carried the news of Edmund's death to Canute, sure of being bountifully rewarded for so agreeable a piece of advice; but the Dane, though in his heart he detested the traitor, dissembled his sentiments for that time, as he thought he might have further occasion for him, and contented himself with returning him this equivocal answer: "Well, for so good a turn, I will exalt thee above all the lords in England:" which he literally fulfilled in his execution, as will appear in the next reign.

With Edmund fell the glory of the Anglo-Saxons, and by his death the Danish race prevailed, and the Saxon monarchy became in a manner extinct, after it had lasted one hundred and ninety years from the first establishment by Egbert, four hundred and thirty-two from the first founding of the heptarchy, and five hundred and sixty-eight from the arrival of the Saxons under Hengist.

The remains of Edmund were deposited by those of his grand-father Edgar, at Glastonbury. By his wife Elgitha, the fair widow of earl Sigefert, who had been basely murdered by the contrivance of Edric, duke of Mercia, as we have shewn in the history of the preceding reign, he left two sons, Edmund and Edward, and a natural son of the name of Edwy, who was afterwards put to death by Canute's orders.

CANUTE the GREAT, A.D. 1017.

The first Danish king of England †.

IMmediately on receiving the news of Edmund's death, Canute convened a general assembly of the states of the nation at London, in order to secure the succession of the whole kingdom; when he made a speech to the assembly, the purport of which was, to desire to know of the nobles who had been witnesses to the treaty he had made with the deceased king, whether any articles had been agreed to in behalf of the king's brothers, who were then in Normandy? To which they answered in the negative. Secondly, whether any stipulation was made by the said treaty in favour of Edmund's children? Here the assembly were mute for a while, not knowing what answer to make to a question so evident in its tendency, and put by a person who had a powerful army at his command, in the very heart of the kingdom, which

only waited his nod to be let loose upon all such who should seem refractory to his purpose. After some pause, they replied with a true time-serving finesse, "That if any such stipulation had been made, they were sensible that Edmund designed that Canute should be their guardian till they came of age." Canute, not contented with this mean evasion, and sensible of his superior power, compelled them to swear allegiance to him, and abjure the Cerdic race, being determined not to reign in right of another. He then assumed the crown, and divided the kingdom into four parts or governments, namely, Mercia, Northumberland, East Anglia, and Wessex. The first he gave to Edric Streon, the second to Eric, the third to Turkyl, and the fourth he reserved to himself.

As he was fully sensible that the people in general were strongly attached to the blood of Cerdic, his first aim was to ingratiate himself with his own subjects by every art of popularity, and to take the first opportunity of removing those who were the most likely and capable to disturb his government. With that view he publicly declared that he would make no difference betwixt Danes and English in his favour, or in the administration, and then published an edict, importing, that the old laws should be observed in every province, as in the times of the Saxons, save only those of the North, which were almost wholly peopled with Danes, who had been long governed by the laws of their original country. This semblance of justice and impartiality had the intended effect upon the minds of the undiscerning multitude, who were loud in their praises of a prince who manifested such an equitable disposition, and who seemed to have nothing in view but the welfare of his subjects.

Canute, having thus succeeded in the first part of his scheme, resolved to complete it in its full extent, by removing those bars to his ambition, Edward and Edmund, the sons of the late king. And here he was somewhat puzzled how to effect his design in such a manner as not to shake his authority in its infancy by a rash or impolitic step: he therefore resolved to send them abroad. Our historians tell us, that they were first sent to the king of the Swedes, with an intimation "that he would confer a great obligation on the English monarch, if he would deal with them in such manner as that they might not again return to their native country." This prince, though abhorrent of so inhuman a design, was yet fearful of disobliging so powerful a sovereign as Canute, whose patrimonial dominions lay so near to his own; and therefore, without giving them an asylum in his territories, sent them to Solomon, king of Hungary, who received them with all kindness, and even gave them an education suitable to their birth.

Edmund died in this court; but his brother Edward married Agatha, the queen of Hungary's sister, and daughter of Henry II. emperor of Germany, by whom he had Edgar Atheling, and Margaret, afterwards queen of Scotland.

* The death of Edmund is, by the Saxon Chronicle, placed in 1016; but various are the conjectures concerning the manner. Malmesbury and Brompton relate that two villains stabbed him with a sharp piece of iron in the fundament, as he was easing nature; others say, that he was stabbed by Edric's son, by his father's order, in the hinder parts, with a long sharp knife, which was left sticking in the wound.

† Some authors have been fond of ranking Swein, the father of this prince, as a king of England; but, besides his never having been crowned, it does not appear, from any authorities extant, that he ever exercised any act of civil authority; and therefore I have considered Canute as the first prince of the Danish race who swayed the English sceptre.

Edwy, however, the natural son of the late king, still remained in England, and the popularity of this young prince occasioned Canute no small uneasiness; he therefore consulted with Edric how he might best rid himself of this bane to his honour and repose. That traitor, ever ready to assist in any deeds of villainy and baseness, undertook to make away with the unfortunate prince by the means of one of his instruments named Ethelwald; but this man, not proving so hackneyed in the ways of wickedness as his employer, postponed the execution of his orders: so that Canute was obliged to have recourse to a sham plot, in order for a plausible excuse to banish Edwy from the kingdom, who, after wandering some time in exile, returned to England, where he died in an obscure part of the island.

But there still remained one more obstacle to Canute's repose, which it was not in his power to remove by any other means than policy. Alfred and Edward, the two sons of Ethelred, by Emma, were now grown up to men's estate, and resided with their uncle Richard II. duke of Normandy, and might one day, through the assistance of that prince, assert their title to the throne. In order to avert that danger, he artfully endeavoured to make an ally of Richard, by demanding in marriage his sister Emma, mother of the young princes, and offering his own sister Hestritha to the Norman. It was indifferent to Richard whether his nephews by Canute or Ethelred sat on the English throne; and, being in hopes that he might find a more useful ally in the former than he had ever experienced in the latter, without regard to the rules of justice or decorum, accepted the proposal, and easily prevailed with his sister Emma to give her consent also. Accordingly the double nuptials were celebrated with great splendor in the latter end of July, A. D. 1017; but to the unspeakable grief of the two young princes; who could never forgive their mother for espousing the sworn enemy of her first husband, and sacrificing their right by signing a marriage-contract which settled the succession of the crown on the children by that marriage.

Thus far every thing succeeded to the wish of the usurper; but he was a man of too much sagacity to think his dominion firmly established while such a wretch as Edric continued possessed of so great an influence in the kingdom as he then had. Canute wisely considered that he who had been false to his natural and lawful sovereign, would never be true to a foreigner who had seized the crown by force; he therefore resolved to take the first opportunity of sacrificing him to his security: nor was it long before the traitor furnished one against himself; for, having the impudence to upbraid Canute, in the public council-chamber, with the services he had done him, and which he pretended had not been sufficiently requited, the king, in a violent fury, commanded him to be instantly put to death, and his head fixed on the highest gate of the city, that the promise he made him on bringing him the news of Edmund's death might be literally fulfilled: he likewise ordered

his three sons to be put to death at the same time; and, in order that nothing might be wanting to secure his authority, as also effectually to crush the power of the English nobility, from whom he apprehended an insurrection, Canute followed this stroke by the execution of Norman, son of duke Leofwine; Ethelward, son of duke Ædhelmer; Brightric, son of Alphage, earl of Devon; and others of Edric's most considerable friends and adherents: but, as he had a great affection and esteem for Norman's brother, Leofric, he spared him, and even bestowed on him his brother's government.

Being now free from controul, and having filled all the vacant offices with creatures of his own, A. D. 1018, he laid a tax of eighty-two thousand pounds* upon the kingdom, to pay off the arrears of his Danish fleet, the greatest part of which he sent back to their own country, all but forty ships, which were thought necessary for the defence of the kingdom. This tax, grievous as it was, the English patiently submitted to, as it was the means of freeing them from such disagreeable guests. This ready compliance had so good an effect on the king, that he determined henceforth to use every possible means of conciliating the affections of his new subjects, and attaching them to his interests. The more readily to secure this desirable purpose of popularity, he convened an assembly of the states of the nation at Oxford, in which he re-established the laws of the Saxon monarchs, particularly those of Edgar, and Edward the Elder; and at the same time an act was passed, by which the Danes and English were incorporated as one people. This politic step at once proved extremely pleasing to the English, who were no longer thrown to that submissive distance from their conqueror, to which they had hitherto been accustomed to submit; and also contributed not a little to strengthen his government, by putting it in his power to place his own countrymen in most of the posts of dignity and profit in the kingdom, by which he secured a certain majority in his favour, in case the English should at any time hereafter be tempted to raise commotions for the restoration of the lawful heirs to the crown, or in opposition to such measures as he might think proper to pursue.

Having thus settled the English affairs on such a footing as to have nothing to apprehend from a change of disposition in the people, he thought he might now safely attend to those which immediately related to his own country, now much distressed by a war that had lately broken out between the Danes and Vandals†. Accordingly, in the year 1019, he raised a considerable body of forces, one half of them, at least, English, in whom he thought he might now confide, and transported them over into Denmark, under the command of earl Godwin, with whom he prudently associated such others of the English nobles whom he thought most likely to prove troublesome in his absence. Every thing being now ready for the expedition, he embarked himself on board the fleet, and, after a favourable passage, landed in Denmark, when, after making a short halt to refresh his men after

* The city of London at that time paid for its single share of this tax, no less than five thousand five hundred pounds, (being one seventh of the whole) a convincing proof of the great wealth and credit of this capital, even in those early

days.

† Polydore Virgil tells us, that these Vandals were the Norwegians, who, under the command of their king Olaf, had invaded Denmark.

the unavoidable fatigues that attend a sea-passage, he marched directly to meet the enemy, with whom he came up after several forced marches. When he first came in sight of them, the day was on the decline; so that he judged it most prudent to let his soldiers rest till the next morning 'ere he led them to the attack.

Earl Godwin, who earnestly desired an opportunity of signalizing himself, took advantage of the darkness of the night, and having selected a trusty body of his English, marched off with them privately, and, coming upon the foe by surprize, beat up their camp, and put them to a general rout: so that at break of day Canute was agreeably surprized by meeting with a victory before he knew of a battle. This brave action so endeared the English, and their gallant leader Godwin, to Canute, that he ever afterwards shewed them the most signal marks of distinction. The earl, in particular, he rewarded, by giving him his own sister Thyrsa in marriage; and, on his account, laid aside a design which he had formed of abolishing for ever the title and office of duke, which he had looked upon as too near approaching to royalty to be continued with safety.

The war in Denmark being thus happily terminated, Canute returned to England, A.D. 1020, and immediately on his return gave the English a remarkable proof of his regard to their nation; for finding that the great personages among whom he had divided the kingdom, had been guilty of several oppressive practices on the people during his absence, he summoned a *mycel gemot*, or great council, at Cirencester in Gloucestershire, wherein Ethelward, duke of East Anglia, was banished and outlawed; and Eric, duke of Northumberland, was ordered to quit the kingdom. This act of justice and impartiality won him all hearts; and he still further confirmed the empire he had gained, by pursuing every measure that he thought most conducive to the ease and happiness of his English subjects, and to efface from their minds the remembrance of the past barbarities of his countrymen.

To this ingratiating conduct he added another procedure, which, from the disposition of the times, he knew could not fail of rivetting him in the affections of the people. He feigned a sincere contrition for the great quantity of blood which had been shed through his means in the course of his attempts upon the English crown, and in particular for the death of Edmund, of whom on all occasions he affected to speak as of a person for whom he had the highest regard and veneration. From those well acted principles of remorse, he built and endowed a church at Ashdown, where he had fought a great battle with Edmund; and also at other places, where any slaughter had been made of the English, founded chantries to pray for their souls, built several monasteries, and one in particular at Bury in Suffolk, in honour of St. Edmund, whom he knew to be particularly revered by the English.

The next year, A.D. 1021, he held a parliament, (for so we may now call the assembly of the states which were convened by order of the sovereign, and composed of the nobles and other principal men of the kingdom), in which he banished Turkyl, who had been concerned in the murder of archbishop Alphege; by which seeming act of

justice he greatly pleased the English, who held the deceased prelate in high esteem.

The following spring, A.D. 1022, Canute went on board his fleet, and made a voyage to the Isle of Wight; but as this expedition seems not to have been attended with any consequences worthy the commemoration of history, it is most probable that he undertook this cruise only with an intent to keep his sailors in exercise against occasion might offer of using them in affairs of importance.

Canute now began to enjoy, unmolested, the sweets of peace, while he exerted all his endeavours to make justice flourish, and to render his subjects happy. But this tranquility was but of a few years continuance; for, in 1025, he found himself under the necessity of making a second voyage to Denmark, on account of an invasion of the Swedes, who, seeing him so fully occupied in his new acquired kingdom, thought this a favourable opportunity of wresting from him his paternal dominions, and annexing them to the Swedish crown. The army which Canute took over with him, in order to repel the invaders, was composed of English and Danes. Soon after their landing, they were encountered by Wulf and Higlaflf, two Swedish generals, who defeated them with great slaughter, and compelled Canute to return the same year to England.

The years 1026 and 1027 seem to have passed without any military transactions; but A.D. 1028, Canute entered upon another war, which made him ample amends for the rude treatment he had met with in his late expedition. Understanding that Olaf, who then sat on the throne of Norway, was a religious and pacific prince, and on that account had fallen into contempt among his subjects, who thought it an intolerable grievance to be restrained from the piracies to which they had been accustomed; Canute resolved to embrace this favourable opportunity of setting up a claim to the crown of Norway; and, with this view, found means of privately forming a party among the principal nobles of that kingdom. This design succeeding to his wish, and having advice that every thing was ripe for a revolt on the side of the malcontents, on the first appearance of a powerful force to support their insurrection, he set sail for Denmark with a considerable body of English troops, and from thence made a sudden inroad into Norway. Olaf, surprized by this unexpected invasion, and finding that there was no dependance to be placed on his subjects, who basely deserted him, and repaired in crowds to the enemy's camp, consulted his own safety, by flight, and retired into Sweden, and from thence took refuge in Russia. Upon his retreat, Canute seized upon the crown of Norway; and, having received or extorted the allegiance of the Norwegians, he returned to England. Two years afterwards the exiled Olaf, making an attempt to recover his dominions, was perfidiously slain by his own subjects: so that Canute now remained in possession of the kingdom of Norway, without any competitor.

Thus crowned with success, and honoured with the title of king of England, Denmark, and Norway, he might have expected to have ended his days in peace and glory: but no sooner was he returned from his expedition into Norway, than he found a dangerous conspiracy on the point of breaking out against his person and government, by the machinations of one Hacum, a Danish earl, who

who had married his niece Gunilda, without his consent; but the plot being timely discovered, Hacum was banished, and others of the conspirators put to death, which effectually put a stop to any apprehensions from that quarter, A. D. 1029.

But no sooner was this storm blown over, than Canute found himself menaced with another infinitely more dangerous, and that threatened nothing less than the loss of the kingdom of England.

The dukedom of Normandy had devolved to Robert, the son of Richard II. A. D. 1030. This prince taking into commiseration the misfortunes and wrongs of his cousins Alfred and Edward, the sons of Ethelred, who still resided in that country, he sent ambassadors to Canute to demand, in a peremptory manner, the inheritance of those princes, which he unjustly withheld from them. The haughty Canute was ill-formed to brook a message couched in such lordly terms, and dismissed the envoys without any satisfactory answer; upon which Robert prepared to support his demands, in behalf of the exiled princes, by a powerful invasion of England, and actually put to sea with that view; but meeting with a violent storm, he was obliged to put into Guernsey, and the weather still continuing very tempestuous, and his ships being in a crazy condition, he was, fore against his will, compelled to return to France, and the enterprize miscarried. Nevertheless, not discouraged by this bad success, he sent a part of his fleet, which was best able to bear the sea, in order to scour the English coasts, and block up their harbours, while he himself was employed in levying a numerous army, both of horse and foot, which he proposed to transport in other vessels, and, having landed his forces, to attack Canute in the very heart of his dominions.

And now, for the first time, the lofty Dane found it necessary to temporise. He knew that his title was founded only in blood, and that however peaceable the English might live under his rule, which he endeavoured to make as light to them as possible; yet they were in their hearts strongly biased in favour of the blood of Cerdic, and waited only for a seasonable opportunity to manifest their latent affections, and bring about a revolution in favour of the descendants of their antient kings. Upon maturely weighing these considerations, he thought it more eligible to have recourse to the means of negotiations, than to stake all upon the hazard of a battle, in which he might be deserted by the greater part of his subjects. He therefore set on foot a treaty with the court of Normandy, by which he made an offer of resigning half his kingdom to the young princes; but he found means to throw such artful delays into the course of the negotiation, that Robert was obliged to set

out for Jerusalem upon a pilgrimage, to which he had bound himself in a fit of devotion, and to postpone his intended expedition till his return; and leaving his son William, then an infant of seven years of age, afterwards the conqueror of England, in the hands of guardians, and himself dying upon his journey, Canute was thereby delivered of his fears from that quarter.

The year 1031 is noted only for the excessive liberalities of Canute to the church; and, in order to establish in the minds of the people a stronger opinion of his zeal and piety, he resolved upon a pilgrimage to Rome to obtain a full pardon for all his sins. In his journey he purchased of several princes, through whose territories he passed, an exemption from toll for all English merchants and pilgrims; and obtained from the pope (John XIX.) several privileges for the English school at Rome, with a promise of redress in the point of those excessive sums which were exacted from the metropolitans of England on their receiving the pall, and which had been complained of as an intolerable grievance. On his return home by the way of Denmark, he sent Livignus, abbot of Tavistock, the companion of his travels, with a letter to the English nobility, which letter, as it contains the sentiments of an English king, though somewhat debased by the fopperies of superstition, which was the reigning foible of those times, and, for its subject matter, merits to be written in letters of gold; I have therefore subjoined a translation of the whole, except the uninteresting parts, presuming that the generality of our readers will be agreeably entertained with the perusal of so curious a piece.

"Canute, king of all England, Denmark, and Norway, with part of Sweden, wisheth health to Ælnoth the metropolitan, and Alfrick of York; and to all bishops, primates, and to all the English nation, both nobles and commoners. Know ye that I lately undertook a journey to Rome, to pray for the remission of my sins; for the welfare of my kingdom, and that of the people subject to my government. This is a journey I had long vowed to make; but I still, till lately, was prevented by the exigencies of my kingdom and other causes. Now I humbly thank Almighty God, who has, in this life, granted me, according to my desire, leave, personally to venerate and adore the holy apostles, Peter and Paul, with whatever is holy or sacred, either within or without the walls of Rome. This I was the more inclined to effect, because I had learned, from wise men, that St. Peter had received from the Lord great power of loosing and tying, and that he was the key-keeper of heaven; therefore I thought it extremely convenient particularly to bespeak his patronage with God. Now be it known to you, that there was present with pope John and the emperor Conrade, a

* Among other benefactions he gave the port of Sandwich, with all its issues and profits, to Christ's church in Canterbury. He likewise founded a monastery of Benedictines in Norfolk, which from its situation was called St. Bennet's in Holme (Holme, in the Saxon language, signifying a rising hill or gentle ascent). Leland, who saw this town and monastery, gives us a description of it, which claims our notice. "The city, for its situation, exceeds any that the sun ever saw; it seems, as it were, to hang upon a gentle descent, and is washed on the east side with a little river. Its monastery is not less noble, whether we consider it with respect to its endowment, its extent, or its unparalleled magnificence. One might even take the monastery itself for a city, it has so many gates, some of

which are brass, is adorned with so many towers, and has likewise a church, which cannot be exceeded in grandeur, or magnificence. To this we may add three more churches, which are contiguous, and are as it were appendages to this, which are likewise admirable for their beauty and architecture." Canute enriched the monastery, with very considerable presents, brought in the monks with their abbot, granted it the whole town, as well as other estates for its maintenance, and offered his crown to the martyr. The pope gave it large immunities, exempting it from the jurisdiction of the bishop of the diocese. Besides the offerings that were brought to Edmund's tomb, its revenues amounted to one thousand five hundred and sixty pounds yearly." *Gibson's CAMDEN.*

great assembly of nobles at the festival of Easter, who all of them received me with great honour, and made me particular presents. The emperor, especially, made me a great many presents of gold and silver plate, as well as of robes and apparel. I then conferred with the emperor, and my lord the pope, and the other princes, who were present, with regard to the hardships of my people, both English and Danes; demanding that they might be upon more easy terms; that they might be more secure in their persons when upon their journey to Rome, not meeting with so many obstacles, and being plagued with paying so many tolls upon the road. This was granted by the emperor and king Rodolph, and by all the other princes, who issued out orders that all my subjects, both merchants, and they who went to Rome on religious accounts, should be free from all molestations of tolls and impositions, both in their going and returning. I then complained before my lord the pope, and informed him, that I could not but take it very much amiss that my archbishops should be so much harassed, and pay so great sums of money, whenever they went to demand their palls at Rome. Upon which the pope made a decree, that the like should not be done in time to come. Every thing which I demanded for the advantage of my people from the pope, the emperor, king Rodolph, and the other princes, through whose territories I passed, was most cheerfully granted, and confirmed even under the sanction of an oath, in the presence and under the testimony of four archbishops, twenty bishops, and a great many of the temporal nobility. I resolved, therefore, to pay my thanks to God, having thus succeeded in every thing I purposed. Now be it therefore known to you all, that I purpose to devote myself, in every respect, to God; to reform my life; to govern with justice and piety the people committed to my care; to distribute impartial justice; and if any part of my past conduct hath been inconsistent with the rules of justice, through the folly or inadvertency of youth, to amend the same, through the assistance of God. I therefore adjure and command all my counsellors, to whom I have entrusted the management of public affairs, upon no manner of account, either from the dread of my power or their affections for any one in power, be who he will, that they consent to any injustice, nor suffer my people to be harassed. I likewise command all my deputies, and the governors of my people, as they value my friendship, or their own welfare, that they do injustice to no man, either rich or poor; but that every one, whether noble or ignoble, whether wealthy or needy, have free access to impartial justice, from which they are neither to deviate through royal favour, through their partiality for the powerful, nor for the sake of amassing money for me, nor for any other motive whatsoever; because there can be no manner of necessity for exacting money for me by unjust means.

“ Therefore I am willing you should know, that returning the same way I went, I am now upon my road to Denmark, with the view of reconciling all differences between that nation and those who, if it had been in their power, would have deprived me both of my life and kingdom. But this they could not effect, because God confounded their devices by his grace, which preserved our royalty and honour, and brought to nothing all the forces of our

enemies. Therefore, having settled peace with all our neighbours, and after ordering and composing our government in the East, so that we may have nothing to dread from war, or the enmity of our foes, I design to come to England as soon as I can have a convenient convoy of shipping this summer.

“ Now we have sent this letter before, that all our people may rejoice at our welfare; for you yourselves are sensible that I never spared either my person or my pains, and that I never will spare them to promote the necessary felicity of my subjects.

“ He then concludes with strict injunctions, that, before his return, all the dues to the church shall be paid, of whatsoever kind; threatening, that if any are unpaid, he will, when he returns to England, severely, and without favour to any one, punish the offenders.”

William of Malmesbury, in whom this letter is extant, adds, that Canute's conduct, after his arrival in England, perfectly corresponded with the professions in his letter; for he gave orders that all the Saxon laws should be inviolably observed, forbade markets, fairs, and all secular assemblies on Sunday, and enjoined all Christians to come thrice a year to receive the eucharist.

By these methods he gained the hearts of the English; and, being secure at home, had leisure to carry his arms into other parts, as his interest or his honour seemed to demand. Accordingly we find him soon after his return, namely, A. D. 1033, undertaking a military expedition against the Scots, on the following occasion.

Duncan, grandson to Malcolm II. king of Scotland, and heir-apparent to that kingdom, held the county of Cumberland in fief of the English crown. Canute had repeatedly summoned him to come and do him homage for those territories, which Duncan had as often refused, alledging that Canute had no right to make such a demand upon him, inasmuch as his homage was due only to the English born kings of England. This answer was highly resented by Canute, who, soon after his return from his pilgrimage to Rome, set out with a powerful army to chastise the Scottish prince, and reduce Cumberland to his obedience. Malcolm, siding with his grandson, brought his forces into the field, and prepared to give the English battle; and a bloody engagement was on the point of beginning, when the prelates and nobles of both armies interposed in order to prevent the effusion of blood; and an accommodation was brought about between the two kings, when it was agreed that Duncan, and the heirs of the future kings of Scotland, for the time being, should hold Cumberland, according to the original tenure, and do homage to Canute and his successors, kings of England, for that fief.

Thus ended this quarrel, which, in its beginning, threatened great desolation and bloodshed to both kingdoms; and Canute, having now nothing to disturb his tranquility, from this time laid aside all thoughts of warlike affairs, and gave himself up entirely to acts of devotion. From this time also he took the surname of Great, on account of the many noble conquests he had obtained: but this title seems to have been less due to his military achievements and successes, than to the many virtues he manifested during the pacific parts of his administration.

administration. Never did king deserve so contradictory a character as this, the end of whose life was altogether different from the beginning; and we can hardly discover in him the same person who, to gain a crown to which he had no title, had trampled under foot every law, divine and human, and who had poured forth oceans of blood in libations to his ambition; when we behold him the latter part of his reign living an example of humility, modesty, justice, and true piety, rendering himself beloved by his subjects, and universally esteemed by foreigners. In a word, we cannot consider the reign of this king, without concluding, with Tyrrel, that it had been happy for this kingdom, if Canute had never ascended its throne, or had sat on it much longer*; for he had not held the English sceptre full nineteen years, when he resigned his breath at Shaftesbury in Dorsetshire, on the twelfth of November, 1035, and was buried in the old monastery at Winchester.

He left two sons by his first wife Elfwina, daughter of Ælfhelm, earl of Northampton, who were named Swein and Harold. And by Emma, his second wife (the widow of Ethelred) he had a son named Hardi Canute, or, as he is commonly called, Hardicnute, and a daughter named Gunhilda. Swein was placed by his father on the throne of Norway, which he had conquered in the manner already related in this history. Harold succeeded him as king of England; and Hardicnute ascended the throne of Denmark. His daughter Gunhilda was married to the emperor Henry III. †

HAROLD I. surnamed HAREFOOT ‡, A. D. 1036.

The second Danish king of England.

CANUTE, the year preceding his death, had given the crown of Denmark to his son Hardicnute, and had placed his son Swein on the throne of Norway; but as the succession to the English sceptre was not left undetermined, the kingdom, upon the death of the late possessor, was divided into three factions; one of which espoused the cause of Harold, and consisted of the Danes and Londoners, whose interests, long intercourse, and vicinity of situation, had knit them, as it were, into one body. Another party sided with Hardic-

nute; these were chiefly the West Saxons, who were influenced by their regard to the rights of primogeniture, and that privilege which they thought their due of being treated upon the same footing with a people, whose sovereignty was to depend upon the laws of regular succession, unrestrained by a servile fear of, or more servile dependance on, the last will or commands of any monarch. The last faction was that of the house of Cerdic, who, standing in the light of an abjured and proscribed party, did not dare to avow their wishes or their designs in a public manner. With these joined the queen-dowager Emma, who, after having satisfied the dictates of ambition, in being twice queen of England, listened now to those of nature and justice, and seemed to long to restore to her children, by Ethelred, those rights which her vanity had urged her to sign away from them by her marriage-contract with Canute, already recited. Several nobles, as distinguished for their military and civil talents as for their illustrious birth, were equally desirous of throwing off a foreign yoke, and once more hailing the lawful successors to the sword-contested throne of their ancestors. But the great spring of all political movements rested in the famous earl Godwin, or Goodwin, a man who had all the vices of Catiline, without his immorality and imprudence; all the ambition of Cæsar, without those virtues which made it praiseworthy; and all the dissimulation of Tiberius, without that winning address which made it pass current with even the discerning part of mankind. He stood foremost in the rank of Canute's favourites, on account of the eminent service he had rendered him in his Norway expedition; and that prince had, at his decease, left him executor to his personal fortune, which he had bequeathed to his wife Emma.

The contest for the succession was carried on with so much animosity by the two prevailing parties, that the nation saw itself on the verge of a civil war, insomuch that the English, smarting with the past experience of calamities from disputed succession, were alarmed to that degree, that, according to Ingulphus, who lived in those days, the most cautious among them retired with their effects to fenny and inaccessible places, till the dispute should be finally decided, which, at length, was

* An instance of his behaviour in private life has been handed down to us by Huntingdon and Florilegus, and at once shews him to have possessed a large fund of good sense, and a strong abhorrence of flattery. One day as he was taking his recreation on the sea shore, at Southampton, accompanied by a train of courtiers, who were incensing him with the most fulsome flattery, placing him on a level with the greatest heroes of antiquity, and extolling his power as something more than human, he ordered a chair to be brought and placed on the beach while the tide was coming in, and sitting down, he, with a majestic air, thus addressed himself to the sea. "Thou sea art a part of my dominions, and the land whereon I sit is also mine. I charge thee not to presume to approach any farther, nor dare to wet the feet of me who am thy sovereign." But the sea, as Huntingdon expresses it, came rolling on as before, and, regardless of his admonition, not only wetted the skirts of his robes, but also dashed his thighs. Upon which, rising up suddenly, and turning about with a disdainful look to his followers, he bid them learn from the example before their eyes, that the title of *Lord* and *Master* belonged only to him whose voice the land and sea obey: and taking off his crown, which he would never after wear, he ordered it to be placed on the head of the great crucifix at Winchester.

† Being a lady of remarkable beauty, her husband grew

jealous of her, and she being accused of adultery, a duel ensued, which was the usual method of trial in these ages. The accuser being a person of gigantic size, and extraordinary strength, no person was bold enough to undertake the vindication of Gunhilda's innocence; till her page, who was but a stripling, in comparison of his antagonist, appeared in the list, and offered to engage her accuser. In the combat the youth having the good fortune to cut the sinews of his antagonist's legs with one blow, followed his advantage with so much vigour, that he felled him to the ground with another, and then cut his head off, which he presented to his lady. After Gunhilda's honour had thus been vindicated by the valour of her English page, she thought it a proper time to show her resentment for the affront her husband had passed upon her by his credulity, and having renounced his bed, notwithstanding his entreaties to the contrary, turned nun at Bruges in Flanders. After her death, she was buried in the collegiate church of Donation, and her monument, in Speed's time, was then to be seen near the north door of that sacred edifice.

‡ Because, saith Knighton, his foot was all over hairy; or, as others affirm, because he was remarkably light and swift of foot. Brompton says he had this surname from refusing to ride on horseback, and chusing always to walk on foot, which, says he, was unbecoming his royal state.

done in an amicable manner; for a general assembly being convened at Oxford, it was there agreed to make a partition of the kingdom, between Harold and Hardicnute, by which the former was to have the countries northwards of the Thames; and the rest of England was allotted to the latter. Queen Emma was to keep her court at Winchester, to be regent of all Wessex, and Godwin was to act under her as governor or lord-lieutenant of that province.

Notwithstanding this agreement, which amounted to an election, as king, in favour of Harold, Ælnoth, archbishop of Canterbury, who was in the number of those who favoured the pretensions of Hardicnute*, continued firm to the cause he had espoused, and refused to deliver the royal robes to Harold, or to perform the ceremony of his coronation, which Harold so much resented, that he ever after took all opportunities of vexing and persecuting the whole body of the clergy. Be that as it may, he was no sooner fixed on the throne than he sent and seized all his father's treasure which had been deposited at Winchester, and which, of right, belonged to his step-mother Emma.

With this money he found means to win over earl Godwin to his interest, adding, at the same time, the powerful incentive of ambition, by promising him to marry his daughter, and declare her issue heirs to the crown of England: baits too tempting to be withstood by a man of Godwin's principles. This nobleman accordingly dropt, on a sudden, all his zeal for Hardicnute's interests, and espoused that of his brother and rival Harold; and, taking advantage of the absence of the former, who was then settling his affairs in Denmark, he persuaded the West Saxons that he did not think the sovereignty of their kingdom worth his attention; and, by these and other artful measures, got them to join in declaring Harold king of the whole island.

† Emma, finding herself deprived, by this sudden revolution, of her regency, and her favourite son Hardicnute of the crown of Wessex, soon perceived that all hopes of holding a share in the government were entirely at an end as to him, and therefore she turned her thoughts towards the bringing in one of her sons, by Ethelred, and placing him on the throne, not doubting but she should be powerfully assisted in this design by the English, who secretly wished to see, at their head, a prince of the race of their antient kings; but, knowing earl Godwin's great power and influence, and how much he favoured the cause of Harold, she resolved to have recourse to cunning and dissimulation. With this view she pretended not to be in the least concerned at the displacing of Hardicnute, and applied herself wholly to works of piety and devotion; but here she had to deal with a person, in Godwin, who was not so easily to be deceived. That sagacious and refined politician, who had experienced the greatness of her talents, was suspici-

ous of this feigned indifference in a matter which he was sensible from his knowledge of her ambitious temper and her love she bore to her son Hardicnute, could not have failed of deeply affecting her: he therefore imparted his doubts to the king, insinuating, at the same time, that the crown was not safe on his head, so long as the children of Emma were living to dispute it with him.

Harold readily assented to the truth of this observation. It was agreed between them that something must be done to destroy those interests which stood in competition with their own; and nothing so probable occurred, as getting the two exiled princes into their power. Godwin took upon himself the execution of this design; and accordingly he forged a letter in the name of their mother, earnestly inviting the two princes over into England, and gently chiding them for the indifference they seemed to shew in the recovery of their right, which encreased the power of the usurper, and would render their restoration hereafter more difficult. This stratagem answered the purposes of those who contrived it; for the young princes, imposed on by the spurious invitation, readily came into the proposal made them; and Alfred, the most active of the two, embarked, with a few Normans on board some ships, and came over to England. Godwin was ready to meet him at his landing, and the unsuspecting youth, thinking him still in his mother's interest, received him with the most tender caresses, which were returned by the treacherous earl, with a seeming warmth of sincerity: but no sooner had he the unhappy victim of his ambition fully in his power, than he caused him to be seized in the night time, and put to death, with the greatest part of his followers.

This murder perpetrated ‡, Harold and Godwin next consulted how they might effectually secure themselves from the resentment of Edward, the surviving son of Ethelred, who would not fail to stir heaven and earth to revenge the cruel treatment of his brother. They knew that the mother of the deceased prince was both artful and ambitious, greatly beloved by the English, and consequently might have it in her power to revenge the death of one of her sons, and assist the survivor in the recovery of his right. To free themselves therefore from all these apprehensions, and to prevent her from raising any disturbances in the kingdom, they took care to have her accused of an intention to do it, and she was ordered into exile by way of security, A. D. 1037. The queen-mother, finding herself thus persecuted, retired to the court of Baldwin, earl of Flanders, who generously took her under his protection, and assigned her Bruges for her abode and subsistence; the nonage of the Norman duke, with the dissensions that generally attend a minority, rendering it unsafe for her to reside in her native dominions.

Harold, finding himself thus freed from the apprehension of any competitor, resolved to provide against any future machinations that might be set

* Who supported those pretensions by alledging that his competitor Harold had been obtruded upon Canute as his son, by the artifice of Emma, who had recourse to a false labour (not being with child) in order to secure the affection of her husband, and had passed Harold, who was the son of a shoemaker, upon Canute for his own. However, Speed treats this as a false report, raised only to serve the present purpose.

† See several MSS in the Cottonian library, now at the

British museum; as also the author of *Encomium Emmae*, who lived at the very time of these transactions.

‡ Which, according to Speed, was attended with circumstances of barbarity, almost too shocking to mention. According to him, they ripped up the young prince's belly, and drew out his bowels, one end of which being fastened to a post, they pricked him with sharp poniards, to make him run round till all his bowels were wound upon it.

on foot against his person or government, by raising a numerous fleet to guard the kingdom from all invasions. For this purpose he imposed a tax upon the nation, which proved very unpopular, and gave rise to much discontent; and that was, for every port to fit out sixteen galleys, and, in order to maintain them, the nation was assessed at the rate of eight marks for every rower, and twelve more for every master.

A. D. 1038, the Welch broke out into open rebellion, under the command of Griffith Llewellyn, who, coming to a battle with the English and Danes, at Cross-ford upon the Severn, gained a complete victory over them, and, flushed with his success, led his army to Lhanpadarn-vawr in Cardiganshire, which he totally destroyed; and then marching into South Wales, he entirely reduced that country, and forced Howel ap Edwin, its king, to save himself by a precipitate flight; but soon after, another powerful army being sent against the Welch, routed them. And this insurrection being thus happily quelled, Harold, to prevent future disturbances in those parts, passed a law, by which every Welshman, who passed Offa's Dyke without permission, was to lose his right hand*.

A. D. 1039 was the last of Harold's life, whose acts of tyranny and cruelty had, by this time, rendered him detested by the majority of his people; and he had certainly fallen a victim to their resentment, had he not met with powerful friends in earl Godwin, Leofric earl of Mercia, and other noblemen of great fortune and interest, who found their account in supporting him on the throne. The English, in vain, cast their eyes on Edward, the surviving son of Ethelred, who was then in Normandy; for that court, on account of its own distractions, was unable to give him any assistance; and earl Godwin had so powerful a party in England, that any attempts made by the natives alone must have proved abortive, or have ended only in their own destruction. So that this unfortunate prince seemed to be in a manner out of question, with regard to the succession, more especially as the right of primogeniture was, by most men of candour and dispassionate consideration, looked upon as belonging to Edward, the son of Edmund, then an exile in the Hungarian court; but his distance from the kingdom, and the general estimation in which the other Edward was held by the populace, seemed to remove him farther from the hopes of filling the throne of England, than even the son of Ethelred.

However this might be, Hardicnute at this time, either roused from his lethargy, or having completely settled his affairs in Denmark, and perhaps being solicited by the malecontents to bestir himself in order to assert his own property in the succession, which had been settled by an act of the states, came from Denmark with a fleet of sixty sail, to Flanders, on pretext of paying a visit to his mother Emma, but in reality with a view to recover his rights. The precaution which his brother Harold had taken in fitting out a fleet for the safeguard of the coasts, made him diffident of entering

upon any enterprize of that nature for the present; and he resolved to remain quiet, in expectation of a more favourable opportunity, and he did not wait long before those expectations were answered; for he was, as yet, upon his visit to his mother, when he received the pleasing tidings of Harold's death, which happened on the eighteenth of May, 1040. Upon this, he embarked on board his fleet, and prepared to pass over into England, either to receive the crown in a peaceable manner, or with the assistance of the faction, who favoured him, to dispute it by force of arms against any competitor.

CANUTE II. or HARDICNUTE.

The Third Danish King of England, A. D. 1040.

THE English, apprised of Hardicnute's intentions, and dreading to see their country subjected to those evils of a civil war which they had already, but too sorely, experienced, resolved to prevent his having recourse to any hostile measures to recover the crown by inviting him over to take possession of it.

Hardicnute, joyfully accepting of this spontaneous invitation, landed at Sandwich the thirteenth of June, and on his arrival was received with the most extravagant demonstrations of joy: even earl Godwin, who had so warmly headed the faction in favour of his brother, now was the first of the nobles who did him homage; and, by his artful address, and persuasive eloquence, not only made his peace with the new king, but was also admitted to a high place in his favour.

The English, ever fond of novelty, and equally inconstant in their affections and dislikes, promised themselves a long series of happiness in the reign of a prince, whose character had been represented by his adherents as truly amiable: but they soon found themselves miserably deceived in the idea they had pre-conceived of his gentle administration; for his very first action after his coronation, sufficiently evinced him to be a person of violent passions, and terrible in his resentments. Impatient to give his mother a proof of the detestation in which he held his brother Harold, and to revenge the murder of Alfred, her darling son, as also to convince the English how much he disapproved his predecessor's conduct, he ordered the body of the deceased king to be dug up, the head to be cut off, and the body afterwards to be cast into the Thames. This order was issued to Alfric, archbishop of York, earl Godwin, and Trouhl, the common executioner†, and was obeyed with the most cruel punctuality; nay some authors affirm, that on this occasion Godwin, in order to ingratiate himself with the reigning prince, committed many acts of wanton and contemptuous cruelty on the dead body of the monarch whose cause he had so warmly espoused when living. Be that as it may, it was afterwards found by some fishermen floating on the water, and by them delivered to the Danes, who interred it in a burial place their nation then had in London‡. Brumpton adds, that Hardicnute, being informed of this, caused it to be dug

* From a MS in the Cottonian library, and from Caradoc's Chronicle.

† As the joining of personages of such different rank on this commission may appear an exaggerated circumstance, I shall here set down the very words of Simeon of Durham. "Alfricum Eboracensum archiepiscopum, Godwinum comi-

tem, Styr majorem domûs, Edricum dispensatorem, Trouha suum carnificem et alios magnæ dignitatis viros Londoniam misit."

‡ Which constant tradition affirms to be the church and church-yard of St. Clement's Danes in the Strand.

up a second time, and once more cast into the river; but being again found, it was taken up and buried in Westminster.

Hardicnute's next civil transaction was the imposing a heavy tax on the kingdom for the payment of the fleet which had brought him from Denmark. This appeared the more intolerable, as the nation was at that time threatened with a famine. The ensuing year, A. D. 1041, he levied another far greater, consisting of two impositions, the one amounting to no less than twenty-nine thousand and twenty-nine pounds, and the other to eleven thousand and forty-eight pounds. This exasperated the people to such a degree, that they rose at Worcester, and murdered Peader and Torstan, two of Hardicnute's officers employed in collecting it; an outrage which he punished severely, by sending his soldiers into the country of the rioters, with strict orders to lay it waste with fire and sword, which harsh command was executed with the most rigorous exactness. On the twelfth of November their ravages began, and continued till the evening of the sixteenth. The inhabitants, foreseeing the fate which must attend their waiting for the arrival of these messengers of blood and desolation, seized upon and fortified a little island in the Severn, called Beveridge, resolving there to sell their lives as dear as possible, or to purchase their freedom; accordingly, when the king's troops, after having punctually obeyed their inglorious orders, prepared to attack this handful of resolute men, they met with so warm a reception, that after several unsuccessful attempts to drive them out of their fastnesses, the generals were glad to retire and leave them in the possession of their asylum, and at liberty to return to their desolated city, which they rebuilt, and, in a short time, restored with double lustre.

About this period, Hardicnute sent an invitation to his brother Edward to come over from Normandy, and, on his arrival in England, treated him with the greatest hospitality. His sister Gunhilda* also was, at this time, sent to consummate her nuptials with the emperor Henry III. to whom she was betrothed; and the marriage was performed with so much magnificence, and with such memorable profusion, that it got even into the songs of the bards of those days, and was transmitted in lays, which were still extant at the time when Matthew of Westminster wrote, who records this circumstance.

On the arrival of Edward in England, and the frequent intercourse between him and his mother Emma, whose influence in the kingdom was considerable, the interest of the Normans began to prevail mightily at court, and Livingus, bishop of Worcester, the same priest who had carried Canute's letter to the assembly of the English states, was accused, together with the famous earl Godwin, by Alfric, archbishop of York, and others, as concerned in the murder of prince Alfred, the king's uterine brother; and the accusers having clearly proved their charge, the prelate was deprived of his see, which was bestowed upon the informer: however, the deposed bishop, being well acquainted with Hardicnute's great avarice, found

means to intercede so effectually with him, by a present of a considerable sum of money, that he was soon afterwards restored to his benefice. The same expedient was likewise put in practice, and with the same success, by earl Godwin, who would undoubtedly have fallen a victim to the public resentment, had he not saved his life by his singular address in the arts of corruption; arts which have more than once eluded the blow from the uplifted arm of justice, and covered the most infamous deeds with the specious veil of wronged innocence. On this occasion he softened the pious wrath of his sovereign, by presenting the king with a galley most magnificently equipped, having a gilded stern, and furnished with all conveniences, both for war and pleasure, and manned with eighty choice soldiers, every one of which wore upon each arm a bracelet of gold, weighing sixteen ounces, with an helmet and corslet, all richly gilt, as were also the hilts of their swords, having a Danish battle-ax adorned with silver and gold hanging at his left shoulder, with a shield on his left arm, the bosses and nails of which were also gilded: in his right hand he had a lance, in the Anglo-Saxon tongue called Halegar†. By means of this noble present, the earl was allowed to acquit himself by oath of having had no farther share in the death of Alfred, than what he had been obliged to do in obedience to the commands of Harold, his then sovereign.

However great Hardicnute's filial piety might have been, it is past contradiction that he had, on all occasions, shewed a very blameable partiality for the Danes, who were settled in England; inso-much, that we are told by the writers of those times, that whenever an Englishman met a Dane on the road, or in the streets, he was compelled to bow himself to the ground, and remain in that submissive position till the latter had passed him. This cruel partiality, and the grievous taxes with which he saddled the nation, brought upon him the hatred of his people; and the immoderate and even beastly luxury in which he indulged himself, rendered him the object of their ridicule and contempt. However, he did not long enjoy that crown of which he seemed to be every way unworthy; for he ignobly and suddenly finished his life and reign at Lambeth, in a debauch, while he was celebrating the nuptials of a Danish nobleman, named Tuvey Prudean, with Githa, the daughter of Osgood Clappa; and with so little ceremony did the English treat his memory, that they observed the day on which he died, for some time, as a holiday, calling it Hog-Wednesday, which they spent in dancing and merriment, and drawing cords across the way to stop persons till they obtained their passage by giving them drink or money to purchase it‡.

The character of this prince may be summed up in a very few words. With some virtues that did not exceed the common standard, he had many vices that deprived him of every manly excellence, and degraded him almost below the brutes.

He died on the eighth of June, A. D. 1042, in the third year of his reign, and was buried at New Winchester.

* The remarkable story of this lady we have already related in our notes to page 109.

† This a literal translation from Simeon of Durham, and

Brompton.

‡ See John Rouse's MSS. Huntingdon and Higdon's Polychronicon.

EDWARD, surnamed the CONFESSOR, A. D. 1042.

HARDICNUTE dying without issue, Edward, the son of Ethelred II. by Emma, princess of Normandy, was then the only person in England that had any just pretensions to the crown: besides, the English were now cured of their fondness for foreigners, who had loaded them with insupportable taxes, and made it their business not so much to govern as to plunder the nation; and the many oppressions they had suffered under the Danes, especially the two last of that race, determined them to take ample revenge, and either to put them to the sword, or drive them out of the kingdom: which latter purpose they put in execution immediately upon hearing of Hardicnute's death; so that the very name of Dane seems to have been lost in England from this period*. This expulsion of the old tyrants of this country seems not a little to have facilitated the quiet accession of Edward to the throne of his ancestors; for earl Godwin, who had by this time engrossed such power and influence in the kingdom as no subject had ever possessed, thought this a favourable opportunity to ingratiate himself with the English, by using his interest in behalf of a descendant from the blood of Cerdic. He knew that his own title to the crown could only be Danish, which was alone sufficient in the present disposition of the times to make any attempt towards gaining the sovereignty miscarry; and therefore resolved to bring his family in by another race. With this view he used all his rhetoric to dissuade Edward from a design he had conceived of retiring into Normandy with his mother Emma, being fearful of trusting himself in the power of Godwin, who was notoriously known to have been the betrayer of his family, and the murderer of his brother. The earl on this occasion treated the prince with such marks of tenderness, and made such solemn protestations of the sincerity of his intentions, that he removed his fears. He represented to him that his design of quitting the kingdom was unworthy his great birth; he put him in mind of his royal descent from both sides, telling him, that as he was now arrived at the age of maturity, he doubted not but

that the natural sweetness of his disposition would prove the means of healing the yet bleeding wounds of his country from foreign oppressions; and that, at all events, it was far more eligible to live a king in his own country, than to wander a miserable exile in strange climates. This soothing harangue he closed with an assurance of exerting all his influence to place the crown on his head, provided he would agree to the following terms, namely, to take his daughter to wife and maintain him and his sons in the posts they enjoyed.

Edward gladly embraced these proposals, and roused, by the earl's discourse, to some degree of ambition, as also being conscious of his great power, he gave himself wholly up to his direction, and left him to concert such measures as he should judge most proper.

Godwin having thus far succeeded in his favourite point, he, by his authority of regent of the kingdom, convoked an assembly of the states at Gillenham, for the election of a king, and with an eloquence peculiar to himself, expatiated upon the miseries which a race of foreigners had intailed upon the nation. When he found he had worked the minds of his hearers into the desired disposition, he suddenly presented Edward to them (whom he had previously introduced incog. into the assembly), and raising him from his seat, and uncovering his face, which was wrapt up in his hood, "Behold, cried he aloud, your king! This is prince Edward, the son of king Ethelred and queen Emma, and to him I pay my allegiance." This ceremony, which was something between an election and recognition, struck the assembly with surprize; but they knew it was in vain to dispute with earl Godwin and his friends, who were more than a match for any faction that could be raised to oppose their designs: not but that there was a considerable party who were for recalling out of Hungary prince Edward, the son of Edmund Ironside, who was one degree nearer to the throne than his uncle. However, after a short pause, it was agreed to elect Edward for their sovereign.

Previous to our proceeding in the history of this prince's reign, we judge it necessary to give the reader a full account of the powerful connections and influence of earl Godwin, as that

* This is one of the most difficult passages in the English history. On which ever side we view it, it still appears altogether unaccountable. The Danes alone, in a manner, were in possession of all the Eastern and Northern counties; and in Mercia, that is, in the heart of the kingdom, they were as numerous as the English. Four kings of their nation had reigned successively, who, far from humbling them, had no doubt shown them great favour, and given them the preference. And yet, without any thing extraordinary happening, except the death of Hardicnute, a prince of little merit and reputation, they will have it that the English were suddenly become superior. But this is not all, 'tis affirmed, that this superiority was so great as to enable them to expel the Danes out of the kingdom. How is it possible to believe, that the Danes should suffer themselves to be thus treated, without making the least resistance? for it does not appear that there was any war or commotion in the kingdom upon this occasion. Pontanus, the Danish historian, makes the matter still worse; he tells us, that all the Danes in England were massacred in one night, by the treachery of Harold, the son of Godwin, who ordered all the Danish soldiers to march out of their garrisons, under pretence of solemnizing the funeral of the late king. But this account is altogether improbable; for, in the first place, Harold, who was then very young, had no hand in the government, and consequently could give no such orders to the Danish officers. In the next place, how came it to pass, that all the English historians, Brompton only excepted, who says

but very little of the matter, should agree to pass over in silence so remarkable an event? How was it possible for them to write their histories without ever making the least allusion to it. If it is objected, they did this, as ashamed of their nation for so barbarous an action, What is the reason they acted not in the same manner with regard to the massacre in the reign of Ethelred? These are difficulties that are not easily to be got over. It seems at first, as if there was a plausible way of accounting for them, which is, to charge the historians, as well English as Danish, of not having told the whole truth, or of having aggravated what they relate. But by taking this course we run into still greater difficulties. It is most certain, that ever since the beginning of the reign of Edward the Confessor, the Danes have been so far from making any figure in England, that they are not mentioned in history any more than if they had never been known there, though just before they were masters of the whole kingdom. But whence should proceed so sudden a fall, or rather, how should they all vanish in a moment, if neither expelled nor massacred? History acquaints us not that war was made against them, that their strong holds were taken from them, that they were brought under new laws: but all on a sudden, these powerful and formidable Danes are reduced to nothing, in the reign of a prince the most unwarlike that had ever sat on the throne. These are historical difficulties, the solution whereof must be left to others. *Rap. Hist. Engl.*

nobleman will be found to bear so distinguished a share in the events we are about to relate.

This nobleman then, though by his father's side he had neither the blood of a gentleman nor a king in his veins, had pretensions as formidable as his power. The first time that he appeared with any degree of eclat, was in the reign of Canute the Great, when that monarch entrusted him with the command of the English troops in his war against the Vandals*. As a reward for the signal services he did in that expedition, Canute made him earl of Kent, Suffex, and Surry, and gave him in marriage Thyra, sister to earl Ulpho, his own brother-in-law. Godwin had, by this lady, a son, who died young, being killed by a fall from his horse. He afterwards married Githa, sister to Swein, who was king of Denmark after Hardicnute: by her he had seven sons, Harold, Toftin, Swein, Ulnoth, Gyrth, Elfgar, Lewin, and a daughter named Editha. His great credit with Canute, the superiority of his genius, his noble alliances, his titles of earl of Kent, and duke of Wessex, and his post of high treasurer conferred on him by king Harold; and lastly, the high places of trust and honour, enjoyed by his sons, the eldest of whom, Swein, was earl of the counties of Hereford, Gloucester, Oxford, Berks, and Suffex; and Harold, another, earl of Essex and East Anglia, had raised him to that height, that it was difficult for a subject to attain to a more exalted power; and indeed, the title of king excepted, he possessed every other requisite of regal authority; for the better half of the kingdom was actually in his hands and those of his family: so that, as we have before observed, he was more than a match for any party that could be raised in opposition to him. But to return to Edward.

A great scarcity which prevailed at the time that Edward was elected, and which was accompanied by a prodigious mortality among the cattle, caused the ceremony of his coronation to be postponed for that year; but the following, A.D. 1043, it was performed with great solemnity at Winchester.

Edward has been represented to us an example of piety and goodness, and as such has been ca-

nonized; but how far his actions tally with such a character, we leave our readers to judge, when we shall acquaint them that this saint-like king began his reign with the most inhuman treatment that son could shew to a mother; for immediately after his coronation, he sent certain of his officers to take an exact account of the lands that queen Emma held from the crown, all of which he seized into his own hands, together with her ready money, jewels, and whatever else she possessed of value. It is pretended by some authors, who have indulged themselves in extolling the imaginary virtues of this prince, that his motive for this undutiful behaviour, was resentment for the marriage which his mother had contracted with Canute, and by which she had given away the rights of her children, by Ethelred, to the crown of England. But the real cause seems to have existed in that narrowness of soul, and avaritious disposition, of which Edward gave more than one proof during the course of his administration. But this treatment of Emma was tender in comparison of what she afterwards suffered; for this unnatural son ordered her to be tried for a criminal correspondence with Alwin bishop of Winchester. Robert, the Norman, afterwards archbishop of Canterbury, was her accuser; and, as he could not prove his allegations by evidence, he insisted upon her proving her innocence by undergoing the fiery ordeal†. She accordingly walked blindfold over nine burning plowshares, without being hurt, to the astonishment of a multitude of spectators. Thus say Brompton, Camden, and Dorset; but if it be recollected that neither the Saxon annals, Eadmer, nor William of Malmesbury, have mentioned this circumstance, we may fairly conclude, that the whole story is a fiction, trumped up by the Norman writers, the inveterate enemies of Godwin's family: and that the queen was fairly acquitted for want of the charge against her being properly supported.

In this same year, 1043, England was threatened with a formidable invasion from the North. Swein, king of Norway, the son of Canute the Great, now began to make preparations, with the assistance of his father's friends, to assert his claim to the throne of England. On this occasion, earl Godwin, ever

* See page 106.

† Somner, in his Glossary, derives this word from *or*, a privative, and *deal*, that is, distinction; as much as to say, an impartial judgment, without favour or distinction. The trial by ordeal was two-fold, the one by fire, the other by water. The trial by fire was performed two ways; the person accused held in his hand a red-hot piece of iron of one, two, or three pounds weight, according to his crime, or according to the evidence against him; or else he was made to walk barefoot and blindfold, over nine red-hot plow-shares placed at a stated distance: if he had the good luck to come off unhurt, he was declared innocent; but in case he was burnt, he was pronounced guilty. Persons of quality, only, were tried by fire-ordeal. Trial by water-ordeal was made either by cold or by scalding-water. Peasants and slaves were put upon this trial. In the trial by cold water, the party suspected had his hands and feet tied together, and so thrown into a pond or river: if he floated he was held innocent; but if he sunk he was declared guilty. When scalding-water was the test, the person accused was to plunge his arm into it as far as the wrist, and sometimes up to the elbow. These trials were made with great solemnity, and were always managed by the clergy. The person accused was obliged to swear his innocence, and sometimes, especially if in orders, to receive the sacrament. After the charge was legally brought in, the person impeached was to spend three days in fasting and prayer. At the day of trial, which in the fire-ordeal was made in the church, the priest in his habit took up the iron which lay before the altar, and repeating the hymn

of the Three Children, put it into the fire: then using some forms of benediction over the fire and iron, he sprinkled the iron with holy water, and made the sign of the cross in the name of the Trinity: which done, the party accused passed through the test. The ceremony of the scalding-water-ordeal was much the same. But when the trial was by cold water, the three days fast and other circumstances being premised, the person suspected drank a draught of holy water, to which the priest added an imprecation in case he was guilty: then the water into which he was to be thrown, had a sort of exorcising form of prayer said over it. All these ways of trial continued long after the conquest. The first public discountenance from the state was in the third year of Henry III. The custom among the country people of trying witches by throwing them into the water with their thumbs and toes tied together, is, perhaps, a reliet of the old water-ordeal. But the whole of this pretended purgation appears to be an impious delusion of the senses of mankind, to swell the bags of mercenary priests; for to them the party was committed to be held in custody, and on them alone depended life or death. In this case no price, at the expence either of property or of virtue, was thought too dear by most of the accused for deliverance. But if the unhappy culprits had nothing to offer, they were sure to suffer. On the contrary, if they could bid up to the priest's demand, either of lust or avarice, they were saved by a preparation of oil, then a secret with the clergy, but now common with every fire-swallowing mountebank that travels the country.

attentive to the welfare of that cause which he thought it his interest to espouse, left nothing undone to provide against the suspected visit; he put all the strong holds in the kingdom in a posture of defence, and by his advice the king himself went on board a fleet of five and thirty sail at Sandwich, with which it was proposed to give the enemy battle, in case they should appear off the coast, and to prevent their effecting a landing. But Magnus, king of Norway, having about this time invaded the dominions of Swein, that prince was obliged to drop his enterprize against England, in order to attend to the defence of his own territories*.

A. D. 1044, Edward, pursuant to his promise made to Godwin, married the fair Editha, that nobleman's daughter, the young lady being now come to years of puberty. Ingulphus, the historian, who lived at those times, and was honoured even with some degree of her confidence, has represented her as the most amiable of her sex, both in person and disposition; yet, not all the profusion of her charms, nor the graces of her mind, could awaken, in the insensible Edward, one amorous desire; for, either through a fastidious, or natural impotence, or from family aversion, he suffered this virgin-rose to remain untouched. However, the barrenness of his bed proved the occasion of his canonization: for it was pretended that he had made a vow of chastity; a rash vow surely for a married man, and highly absurd for a king who stood in need of an heir to his dominions. But by this vow, real or pretended, he forged new chains for his unhappy country.

The following year, Swein the eldest son of earl Godwin, presuming upon the great power and interest of his family, attempted the chastity of the abbess of Leominster in Herefordshire. This crime drew upon him the wrath of the devout Edward, and of all his clergy, who prosecuted the young man with such severity, that, notwithstanding he offered to make atonement for this crime of unguarded youth, by marrying the injured lady, he was sentenced to be banished to Bruges in Flanders; his father wisely forbearing to use his interest in behalf even of his own son, who had violated the laws of his country. This prudent conduct served not a little to fix Godwin in the favourable opinions of the people, who, struck with this exterior of religious submission, never troubled themselves to look into the political springs that gave it movement. His son Swein, finding himself thus persecuted by his king and country, now meditated a severe revenge; and, retiring into Denmark, he got together eight ships stoutly manned, with which he committed great depredations on the English coasts in the year 1046, inso-much that it was judged prudent by Edward's council to come to an accommodation with him, to which Swein, despairing of being able to withstand the forces that Edward might bring against him for any considerable time, and being moreover desirous of living peaceably as a subject, rather than to lead the restless life of a pirate, readily

consented; and the king promised to restore him to his former honours and possession; but his brother Harold, either prompted by interest, or dreading the aspiring temper of Swein, privately opposed the reconciliation, and persuaded Edward to break off the conferences: upon which Swein quitted the kingdom, and retired again into Flanders.

About this time also, Swein, king of Denmark, being unable to make head against Magnus, king of Norway, who had invaded his dominions, sent to Edward for succours: and a council was held in presence of the king and the principal nobles, to deliberate upon his request; when Godwin, in a pathetic speech, set forth the necessity of assisting this unfortunate prince, both from the motives of charity, and those of the honour of the state; and the assembly was on the point of aiding him with a fleet of fifty sail, when Leofric, earl of Mercia, and Siward, earl palatine of Northumberland, two noblemen of great eminence, who foresaw, that if this measure took place, the command of the fleet would devolve upon Godwin, or one of his sons, whose power they beheld with an evil eye, strongly opposed the earl's council; and their great credit counterpoising his on this occasion, his project came to nothing. However, Swein, though thus left to himself, soon after recovered his kingdom by the death of Magnus, when he took a severe revenge for the slight and unkindness shewn him by the English, by ravaging the coasts of Wales in such a manner, that the inhabitants were obliged to quit their habitations, and retire into the Uplands for security. He afterwards cruized upon the coasts of Essex, pillaging the country, and spreading terror and consternation wheresoever he passed, until Edward sent a strong body of forces under the earls Godwin, Leofric, and Siward, who repulsed him to his ships with great slaughter.

The next year, A. D. 1047, another fleet of Danish freebooters, joined by the rebellious Swein, with his squadron of eight ships, cruelly infested the English coasts, upon which Godwin employed Aldred, bishop of Worcester, to use his endeavours to prevail on the king to grant his son Swein a full pardon, which, after some entreaties, Edward consented to, not out of any regard to the earl or his family, whom he mortally hated, notwithstanding his having placed the crown on his head, but being rather compelled thereto from the defenceless state of his kingdom, which was destitute of a proper naval force to curb the insolence of the invaders. Count Beorn, son of Ulpho, by Estritha, sister to Canute the Great, was the person pitched upon to carry Swein the news of the king's intentions, and that he might obtain his readmission at court, upon certain conditions. But Swein, distrusting the count's sincerity, and apprehensive that this might only be a snare to betray him into the hands of justice, inveigled Beorn on board his own ship, carried him round to Axminster in Devonshire, where he murdered him, and cast his body into the sea. This infamous breach of the

* Simeon of Durham and Hovenden tell us, that this invasion of England was threatened by Magnus himself; but notwithstanding the lateness of this period, the history of the northern nations at this time is so confused, that nothing certain can be concluded. Ailred, in *vita S. Edwardi*, also

ascribes this expedition to Magnus; and adds, that the failure of it was owing to the extraordinary piety of Edward, which engaged a peculiar interposition of providence in his favour; Magnus being drowned by a false step he made as he was going on board his own ship.

laws of honour and hospitality, retarded the accommodation for a while; but, at length, the king, fearful of incurring the displeasure of earl Godwin and his powerful party, consented to pardon the traitor, a weakness which we could hardly forgive in a king, did we not know that a fresh fleet from Denmark, more powerful than either of the former, and joined also by Swein, was on the point of coming over to England to renew their ravages; and therefore we cannot be surprized that Edward used this expedient to weaken their power.

But no part of Edward's conduct gave so much distaste to the great men of his kingdom (who inspired it on some occasions into others), than the glaring partiality he shewed towards the Normans, whom he invited over in shoals to his court, loading them with favours, and turning the whole stream of his bounty toward them, as a reward he thought due for the kindness they had shewn him when an exile in their country; a laudable instance of gratitude, had it been confined within proper bounds. Edward, however, set none to his fondness for the Normans; but both himself and his court adopted their manners, dress, and even language. The nobility, forgetting the antient Saxon tongue spoken by their forefathers, conversed now only in French. Nay, this foreign dialect was introduced even into the courts of justice, where all the law, deeds, and instruments, were in the Norman form and language, as if they were ashamed of their own manners and customs.

These innovations greatly alarmed the sensible part of the nation, who could not, without great heart-burnings, behold themselves, as it were, cast aside to make room for these new comers, who engrossed every place of trust and profit, more especially when they saw the castles and strong holds of the kingdom taken from its natives, and entrusted to the care of Normans; and the vacant see of Canterbury filled with one Rodbert, a monk, of Jumieges, who had been first elected bishop of London. Earl Godwin, who, notwithstanding his great ambition, which indeed he stopped at no means to gratify, had still the honour and welfare of the English nation at heart, finding the king's ear possessed by foreigners, was apprehensive that his master might be led to take such steps as were inconsistent with the good of the kingdom, and the natural right the English had to his favour; and, as he knew Rodbert* to be a person of great cunning, and master of every art which could render him insinuating and agreeable, he exerted all his endeavours to remove the prelate from the place he held in the king's esteem, but in vain; for the cunning priest had such an effectual hold of the king's mind, that Godwin quickly found his interest with his master was declining, and was not at a loss to guess the cause. In a word, these two courtiers hated each other with the utmost rancour, and each, in secret, plotted the destruction of his adversary, when an event fell out which had

well-nigh ended in the ruin of the earl, and even threatened the destruction of the kingdom, by the most deplorable of all scourges, a civil war.

A. D. 1048, say the Saxon annals, but according to most other authors, A. D. 1051, Eustace †, earl of Boulogne, who had married Goda, the king's sister, came over to England on a visit, and, after having remained some days at Edward's court, who received him with every possible mark of honour and affection, set out for Dover on his return to his dominions. A servant, whom he had dispatched before him to provide lodgings in that city, happening to have a quarrel with some of the townsmen, he struck one of them, upon which a fray ensued, in which the domestic lost his life. The earl, arriving at the instant of the murder, without staying to enquire into the provocation given, ordered his attendants to fall upon the townsmen, and revenge their fellow-servant's death; but the inhabitants, flying to arms, repelled the assailants with great loss: upon which the earl, in a violent fury, posted back to London, and represented the affair which had happened, as a gross insult upon his dignity and character. The king, who was glad of every occasion to please the Normans, and mortify the pride of Godwin, whom he looked upon as a dangerous subject, on account of his great popularity and power, promised Eustace to take a severe revenge upon the insolent rioters; and forthwith issued his orders to earl Godwin, in whose government the insult had been committed, to march with a body of troops, and to lay waste their country with fire and sword. This sentence sufficiently shews Edward to have been equally void of the principles of common justice, and ignorant of the laws of England, which, by his coronation-oath, he had sworn to maintain inviolable, in thus proceeding to judgment, without taking the merits of the cause under a legal consideration, or allowing the delinquents a fair hearing.

Godwin, instead of complying with the above-mentioned orders, repaired to court, and took the liberty to remonstrate to the king with all that honest warmth which truth ever inspires, that it would be an unprecedented act, and such as would stamp ignominy upon his reign and character, to put Englishmen to death unheard or unconvicted. This patriotic freedom proved highly offensive to the ears of Edward, which had been accustomed to the silver sounds of smooth-tongued flattery, and the complaisant addresses of his Norman sycophants. The king repeated his orders in a peremptory manner. But Godwin, firm to his purpose, still delayed putting them in execution, and chose rather to brave the dangers that might await his disobedience than deprive the innocent of their lives, or sacrifice the liberties of his countrymen to the pert insolence of foreigners, or the arbitrary commands of a weak and ill-advised prince. He looked upon this as a fair opportunity for establishing his own popularity, for exerting that patriotism he had ever professed; and for ridding the kingdom of the Normans, who, like an

* Carte represents this prelate as remarkable for his capacity, fidelity, and integrity; and that Godwin's aim in opposing him was only to maintain his own power at court, by removing from the king's person every one in whom he could put a confidence. But it is evident that Carte has here followed William of Malmesbury, who was himself a monk and a

Norman, and consequently his testimony may justly be suspected.

† He was father to the famous Godfrey of Boulogne, who so greatly distinguished himself in the crusades, and took Jerusalem from the Saracens.

heterogeneous mass, choaked the current of mutual love and confidence that should ever flow freely between a king and his natural subjects. But to proceed.

The refusal of earl Godwin, and the freedom of his remonstrances, begat in the king's mind an implacable hatred to him, his family, and party, which the courtiers did not fail to improve by every malicious suggestion; however, Edward would have found it very difficult to satisfy his resentment but for an accidental cause, which furnished him with as plausible an handle as he could possibly wish.

The Welsh having, about this time, erected a fort upon part of the estate of Swein, Godwin's eldest son, it furnished a good pretext for the earl and his family to draw together a body of forces, to defend themselves, in case the king should proceed to extremities against the former, for his disobedience of his commands. Edward, however, was not so blind but that he could discern the real motives of this armament, and therefore thought it most advisable to be beforehand with this restless subject: accordingly he called an assembly at Gloucester, to consult on matters of importance, relative to the affairs of the kingdom, where deputies appeared from the Welsh, complaining against earl Godwin and his sons, for having entered their territories in an hostile manner. Hereupon Edward sent to summon Godwin and his sons to appear at the council, having previously engaged Leofric and Siward, earls of Mercia and Northumberland, in his interest, by whose presence and authority he hoped to be a match for the opposite party. Godwin, on receiving this summons, was not a little puzzled how to act; he could not, consistently with his own character, refuse to attend, nor could he with safety comply. At length, however, he determined not to obey the summons, though he was well assured that this appearance of contempt would subject him to all the weight of the royal indignation; but then, on the other hand, he considered that the easiness of the king's nature made him the dupe of his enemies, and, though he bore him the respect due to a king, he could not approve of the measures of the administration.

Being thus determined, he sent deputies to the assembly, setting forth his reasons for not appearing to this summons. He represented, "that the machination of his enemies, and those of the kingdom, made it not safe for him to trust himself in their power: he declared the Welsh to have been the first aggressors, by infringing the laws subsisting between the two nations, and invading the territories of the English: he painted in the most lively colours the injuries the native subjects of this land had suffered from the encroachments of the Normans, who had engrossed the royal favour wholly to themselves: and that he had thought it his duty to raise forces, in order to chastise the insolence of the Welsh, and rescue his prince out of the hands of foreigners." This spirited remonstrance concluded with a demand, which, though clothed in the pleasing garb of the warmest patriotism, had undoubtedly its source in an unwarrantable ambition and thirst of revenge: it was this, "that the persons of count Eustace and his retinue, who had murdered so many of the king's liege subjects, should be delivered into his custody, as earl and governor of Kent, where they had committed those outrages, and there to be tried by the laws of England."

The whole assembly were struck dumb at this bold message, and the high demands of the refractory earl. As for the king, he burnt with eagerness to chastise this audacious subject for his contumacy, and, in the first emotions of his wrath, gave orders for raising forces all over his dominions; and the nation was now on the point of being plunged in civil war, had not some noblemen, and in particular the earls Leofric and Siward, anxious for the peace and welfare of their country, and wisely considering, that however dangerous Godwin's views might be, his defence was at least good and constitutional, laboured to calm the sharp resentment of the king, to persuade him to decline coming to extremities, and to refer the affair to a general council. Happily their generous efforts met with the desired success; for Edward, who inherited none of the martial ardour of his ancestors, was quickly charmed with the voice of peace: he listened with pleasure to the advice that coincided with his natural disposition, and summoned a great council at London. Thus did these true friends to their country, by a timely interposition, disappoint all the arbitrary views of a weak and obstinate prince, and all the dangerous designs of an over-powerful subject.

Godwin and his sons now kept themselves quiet within their governments; and the king, having levied a strong army in Mercia and the north, for the security of his person, marched to London, where all the nobility of England repaired to be present at the opening of the assembly. Godwin and his sons followed in a short time, attended by a numerous body of West Saxons, who took up their quarters in Southwark. At the opening of the council, earl Swein was declared an outlaw, and Godwin and his other son Harold commanded, upon their allegiance, to appear, attended only by twelve persons, at the assembly, and give an account of their conduct. In reply to this summons the two earls declared their readiness to appear in the manner required, provided they might have hostages for their security. This request, which, considering the disposition and power of their enemies, was nothing but just, was rejected with indignation, and the king issued orders for the apprehending the persons of Godwin and his son. These orders, however, had no effect, the adherents of the two noblemen continuing firm to their interest. A second citation was thereupon issued; but the earl remaining obstinate, the assembly proceeded against him for contumacy, and passed an order for his departing the kingdom in five days, together with his five sons, on pain of being treated as traitors to their country.

Here we have a confirmation of that truth which all history and observation teaches, that no domestic faction, however specious in its pretexts, or powerful in its connections, will be able to shake the throne of a king of England, so long as he has the sanction of the laws to his proceedings; and that the people of England, though they may be a while led astray by the artifices or insinuations of ambitious or selfish men, will never be prevailed upon to act against their parliament: and though they may pity the weakness, or repine at the partiality, of their deluded sovereign, they will, in their cooler moments of reflection, be very cautious how they lend their hand to pluck down the barrier between the king and subject, in which their peace, their properties, their liberties, and all that

they hold dear or sacred, are indivisibly blended. Let this, therefore, be a lesson to those, if any such there are, or may be, who now, or in future times, shall suffer their own resentments, or private views, to get so far the better of their reason, or the duty they owe to their country and themselves, as to stir up the flames of sedition, or make them forget the respect every subject owes to his prince; let such, I say, learn from earl Godwin's story, how frail a basis their hopes are built upon. Godwin had more power than any subject ever known in England, with as great abilities and as popular a cause; but the moment that the difference came to be between him and the parliament, he found his followers prove like a broken reed, that pierced the hand it was meant to support; and he was obliged to abandon all his mighty possessions, all his claims to dominion over the hearts of his fellow-subjects, and to leave all his friends to the mercy of the crown, and seek security for himself in an ignoble flight.

On the other hand, kings may from hence perceive that they do not live for themselves alone, but are, in some measure, accountable to the people over whom they reign, for their minutest actions; and that however great may be the real or supposed merits of those persons whom they single out as objects of royal favour and munificence, those merits, or a private propensity, ought never to be admitted in competition with that parental regard and preference due even to the meanest of their subjects, who have a like claim to their attention and favour with the greatest or most powerful.

But to return from this digression: No sooner was the sentence of banishment passed upon the earl publicly known, than it struck a panic to the heart of his party: his adherents lessened daily, his army deserted him; and he, who was so lately surrounded by thousands, ready to sacrifice their lives and fortunes in his cause, now found himself obliged, for want of support, to comply with his sentence. Having, therefore, shipped all his treasure on board a small squadron, at Bosenharn, in Suffex, he sailed, in company with his three sons, Gyrth, Swein, and Tosti, to Flanders, where he met with an hospitable reception from earl Baldwin, whose daughter Judith, Tosti (one of Godwin's sons) had married. His other sons, Harold and Leofwin, getting on board a ship at Bristol, took refuge in Ireland.

Thus far Edward's resentment was proper and constitutional; but he afterwards fell upon a most unmanly method of wreaking his revenge; for no sooner had he got rid of Godwin and his sons, than he shut up his queen, Godwin's daughter, in the nunnery of Whorwell, together with his own mother Emma, after having stripped them both of every thing valuable. Thus did this king, so celebrated for his meekness, and canonized for a saint, shew to all the world, that he was an utter stranger even to the common relentings of humanity*. Nor did Edward stop here; for he bestowed all the posses-

sions of the exiled earl in Devonshire, Somersetshire, and Dorsetshire, upon Odda, a Norman nobleman, whom he likewise appointed warden of the Welsh marches. Harold's estates were at the same time given to Elfgar, son to the great Leofric earl of Mercia †.

The commotions in the English government encouraged the Irish to attempt an invasion of the kingdom, and being joined by the Welsh, they entered the Severn with a fleet of six and thirty ships, and committed great depredations on the adjacent country. Afterwards, passing the river Wye, they burnt the city of Dunham, and put all the inhabitants to the sword. Upon hearing of these excesses, Aldred, bishop of Worcester, assembled a body of men in haste, and thought to come privately upon the enemy, and put them to rout; but the Welsh prince Griffith having notice of his design, marched to meet him, forced him to a battle, and gained a complete victory.

A. D. 1051, Edward, in order to render himself popular, abolished the tax of Danegelt, which the English had long murmured at, as oppressive and illegal. Nor did his kindness to the people end here, for he ordered an account to be taken of all the surplus money remaining in his treasury from this tax, and caused it to be restored to the several proprietors from whom it had been collected.

About this time William duke of Normandy came into England, upon a visit to his cousin Edward, who, mindful of the hospitality and protection he had met with in the duke's court, received him with all possible marks of esteem and gratitude; and at his departure for his own dominions, loaded him with several noble presents, and the two princes parted with mutual expressions of the highest satisfaction. This visit, however, proved fatal to England in its consequences, for William afterwards made it an handle to lay claim to the crown, to which he pretended Edward had, during his stay here, made him heir: a claim that overthrew the English constitution. But here we may observe, that the most authentic historians are wholly silent in regard to Edward's making William a promise of the succession during his stay; and the very circumstances of the times were such as render it highly improbable he should. Even the Norman writers seem convinced of this, by making the right of William to consist in a will made by Edward, in which he appointed him his successor; a pretence as frivolous and groundless as the former, seeing that no such will was ever produced. On the whole, we may conclude, that William had no other right to the succession but that of a conqueror; and this will more plainly appear when we come to the history of his reign.

Soon after the duke's departure, A. D. 1052, died Emma, the king's mother, whose character seems to have been treated with too great rigour by most of our historians, since no positive fact has ever been produced to prove her to have been either an unworthy queen, or a bad woman.

* The reason he assigned for this act of brutality towards his wife, was such as must shock the ear of every tender husband, and excite the greatest detestation in the humane breast. According to Malmesbury, it was this: "He was resolved that she alone should not enjoy peace and plenty, while her father and brothers were abandoned to difficulties and distress."

† No lady of the age was more celebrated for her beauty and virtue than this nobleman's wife, Godina, of whom it is reported, that, in order to redeem the inhabitants of Coventry

from the severe taxes which had been imposed upon them by her husband, she undertook to ride naked through the city; and having first forbidden the inhabitants to look at her during her procession, she mounted her horse, and rode through the town with no other covering but her long hair. One person having the curiosity to peep at her as she passed, was instantly struck dead with lightning: and in memory of this event, the citizens of Coventry still exhibit a statue on the very spot, in the attitude of peeping.

All this while Godwin and his sons were making the best use of their time during their exile; they tried all their friends, they procured supplies of ships, men, and money, and having at length gotten together a stout fleet, they resolved to revenge on Edward the ungrateful treatment they had received from him, and, if possible, compel him to restore them to their honours and possessions. Their workings, however, could not be kept so secret but that Edward got notice of them; and, sensible that it behoved him to be well upon his guard against the attempts of such an enterprising and incensed foe as Godwin, he gave orders to his two admirals, the earls Rodolph* and Odda, to repair on board his fleet, and cruise off the coast of Kent, to prevent any attempt of a descent. This was a very necessary precaution; and, had it been properly managed, would, in all probability, have defeated, for that time, the designs of the exiled earl. Scarce was the fleet met together at Sandwich, the place appointed for its rendezvous, when intelligence was brought, that Godwin, who had sailed from Bruges, was lying off Romney, in Kent, upon which the admirals immediately weighed anchor to go in pursuit of him, while a numerous body of forces was at the same time stationed along the coast, to be ready to oppose any descent that the enemy might attempt to make; but Godwin having intelligence of their motions, and knowing that he was by no means a match for the king's fleet, retired to Pevensey, in Sussex, whither the two admirals directed their course in order to force him to a battle; but a storm suddenly arising, they were obliged to return back into harbour; and Godwin, taking advantage of a fair wind and good weather that succeeded the tempest, got safe back to Flanders; from whence he sent to his son Harold in Ireland, to bring him a fresh reinforcement. There seems to have been some carelessness or bad conduct on the side of the king's admirals in suffering Godwin thus to escape them; and this appears the more probable, as we find them both broke at their return, and the navy laid up. Godwin no sooner heard of this, than he resolved to make the most of so fortunate a circumstance; and putting to sea immediately, he landed in the Isle of Wight, where he extorted large sums from the inhabitants; and afterwards sailing to Portland, he made a descent there, and laid a considerable part of the country under contribution. After this, returning back to the Isle of Wight, he was there joined by his son Harold, with a fleet of nine ships from Ireland. Their fleet being thus united, they steered their course along the coast of Sussex; and being reinforced on the way by soldiers from the country, and ships from the cinque-ports, they at length entered the Thames, and advanced towards London, without meeting any opposition; for although Edward, upon the first news of their junction, had taken the alarm, and sent orders to his admirals to make all possible dispatch with what ships they could get, to guard the mouth of the river, yet the sailors, either from not being properly paid, or from a dislike to their commanders, deserted to the earl in shoals, insomuch that the ships intended to oppose his progress, were left without hands sufficient to work them. However,

the earl did not make such dispatch but that Edward had time to assemble his principal nobles, who all bringing in their quotas of troops, formed an army sufficiently numerous to defend the capital from any hostile attempts of a much stronger force than Godwin had brought with him.

That politic nobleman being informed that the king was prepared to give him a warm reception, thought it best to dissemble his real sentiments, and put on the garb of humility and submission, though with the sword of rebellion unsheathed in his hands; and accordingly sent a supplicating message to the king, in his own name and those of his sons, requesting that they might be restored to their former honours, of which they had been unjustly deprived, through the malice of their enemies; and promising the most loyal and pacific behaviour. But Edward, surrounded by his Norman counsellors, rejected the proposed accommodation in the most injurious terms, and even threatened the lives of those who had been charged with the earl's message. This unseasonable obstinacy had very nigh proved fatal to Edward's affairs; for notwithstanding that his army was determined to sacrifice their lives to a man, in defence of their sovereign, against any who should attack his person or authority, yet they could not bear the thoughts of embruing their hands in the blood of their own countrymen and relations, when it might be avoided by gentle measures. As for the earl's party, when they heard the contempt with which Edward had treated the submissive proposals made to him, they were with difficulty restrained from proceeding directly to acts of hostility; but Stigand, bishop of Winchester, and others of the principal nobles, in a manner compelled Edward to consent to a truce; and a negociation being set on foot for that purpose, an accommodation was effected on the following terms: that Godwin, his wife, and sons, should be restored to their respective ranks, power, and possessions: that the queen-consort (Godwin's daughter) should be reinstated in her former dignity; and that all Edward's foreign counsellors should be expelled the kingdom. The Normans were soon sensible they were to expect no quarter after this treaty, and, therefore, those who knew themselves most obnoxious, retired into their own country in time, and among the rest Rodbert, archbishop of Canterbury; but so riotous and outrageous was their behaviour, while making their way out of the kingdom, as sufficiently evinced the truth of the accusations which Godwin and his party had so repeatedly brought against them.

Soon after, a great council was convened, in which Godwin was brought to a formal trial for the supposed murder of Alfred, the king's brother; Edward having made it an absolute preliminary in the treaty of accommodation, that Godwin should submit to this trial, to which the earl had willingly consented, and given hostages for his appearance to Edward, who sent them over to William duke of Normandy, to be kept in his custody.

Accordingly, the day of trial being come, the earl was acquitted, on paying a fine to the king, and doing him homage and fealty anew, and reinstated in his fortunes and power with double lustre†. His family and sons were restored to their possessions,

* This nobleman was nephew to the king, being son to Goda, sister of Edward, and the earl of Maine.

† The account which Guthrie gives of this trial, from Brompton, is so curious in itself, and sets the affair in so different

possessions, all but Swein, who, out of remorse for the murder of Beorn, undertook a pilgrimage barefoot to Jerusalem, to purge him of that crime, and on his return died by the way. Stigand, bishop of Winchester, a fast friend of Godwin, was promoted to the see of Canterbury, in the room of Rodbert the Norman, who was in this same council declared an exile and an outlaw, as were also many others of the Normans, who had been in the highest favour about court.

The Norman writers have, almost to a man, aspersed the memory of Godwin with the most odious epithets of imperious and tyrannical, ascribing the driving of their countrymen out of the kingdom to the implacable hatred and ambition of the earl, who could not bear, say they, that any but himself should have access to the throne, being determined to keep his sovereign in a painful dependence upon him and his creatures: but the modern reader will clearly perceive that these are only the expressions of flattering writers after the Norman conquest, who were resolved to pay their court to William even at the expence of truth; and that in procuring the banishment of these foreigners, Godwin acted in direct consistency with the former part of his conduct and that love he had always pro-

fessed for the English, whom he knew to be supplanted in the royal favour by the Normans. Be this as it will, the earl did not long enjoy this renewal of his power and authority, for this very year, 1053, the court being at Windsor, or, according to others, at Winchester, where Edward was celebrating the festival of Easter. the earl, who was sitting at the same table with the king, was suddenly struck with so violent a disorder that he fell from his seat, and being taken up by his three sons, Harold, Tofti, and Gyrth, was by them carried into the king's apartment; but growing worse and worse, he died on the fifth day afterwards. But we find this great man's death ascribed to the effect of divine vengeance by the Norman monks, among whom the abbot of Beverley* is the foremost; but as he is an author who has a greater character for being florid than exact, and as Eadmer, Hemingford, and the Saxon Chronicles do not mention his death as considered in an uncommon light, we may safely conclude the monkish accounts to be founded in calumny, and inspired by malice. Stowe, from a manuscript in his possession, informs us, more probably, that his death, though sudden, was not attended with such violent circumstances as have been falsely related, since

ferent a light from all our modern English historians, that the reader will certainly not be displeased at finding it in a note, together with the just reasonings of the above-cited author on the proceedings at this trial, which is one of the most famous facts in the Anglo-Saxon history.

"We are told, then, that the king having convened an assembly of his states, as soon as Godwin appeared in it, accused him of his brother's death in the following terms: "Thou traitor, Godwin, I impeach thee of my brother Alfred's murder, whom you yourself slew." Godwin's reply was, "Most gracious sovereign, with all due respect to your majesty's peace and dominion, I never did betray nor kill your brother; and I put myself upon trial as to this impeachment before your court." The king then spoke to this effect: "My well beloved lords, earls, and barons, here assembled, and who have heard my impeachment, and earl Godwin's answer, I will that you award judgment, and do strict justice upon this impeachment." Upon this a strong debate happened in the assembly, and variety of sentiments were urged. It was said in Godwin's vindication, that at the time of the murder (for so Brompton's words are to be understood) the earl was no subject of the king, and that he had not with his own hands committed the murder. But those of the opposite party urged the earl's late rebellion as a proof of guilt, and were desirous of making use of the one charge as the most proper way to punish him for the other. I can by no means be of opinion here with some authors, who contend, from the words of Brompton, that no allegiance was due to the kings of England by birth, nor until a man had actually performed homage, or sworn fealty to the king. This seems to be contrary to the strongest evidence of our history and constitution. But, be this as it will, it was very warmly urged by Godwin's enemies, that no earl, baron, or other subject of the king, could by law wage battle against him in his appeal; but ought, upon the whole matter, to submit himself to the king's mercy, and offer him reasonable amends.

"This opinion seems to have carried it; for we are told, that when the question was put, Leofric, as being the most respected in the assembly, delivered his sentiments in the following manner:

"Earl Godwin, said he, must be admitted, next to the king, to be the person of the highest quality in England, and he cannot deny that he had a hand in advising the murder of prince Alfred, his majesty's brother: my opinion therefore is, that he himself, his sons, and twelve of us earls, who are all of us his friends and kinsmen, shall humbly come before the king, each laden with as much gold and silver as he can carry between his arms, and offer the same for his offence, and most humbly supplicate his pardon, beseeching him to lay aside all ill-will, rancour, and malice against the said earl, and peaceably restore him to his lands, after taking his homage and fealty." This award, which was probably before concerted between all parties, took place; the procession instantly set out, and Edward accepted, with seeming acquiescence, of the atonement.

"Many are the remarks which historians have made on this event. What is of real importance to us, is to remark the great authority of a meeting of the states in those days, and that it extended to causes which lay personally between the king and his subjects; that commutation in cases of murder was even at this time admitted, though of the highest nature; that Godwin was tried by his peers, but that the king in his own realm, had no peer. This last maxim is implied by an expression of the historian, which, if not considered properly, may be wrested to very bad purposes; for, in giving an account of the debates upon this question, it is said, "that no earl, baron, nor any subject of the king, can by law wage battle against him in his appeal." But this is far, as has been generally ignorantly or perversely urged, from taking away the lawfulness of all civil resistance. By the term *battle* here cited, is only meant the single combat, by which every man in those days had it in his power to convict his adversary, and clear himself: and it was then undoubtedly a maxim in the government, that the king of England had no peer, and therefore was not obliged to answer any challenge of that kind. This passage has I know, never been considered in this light; but to consider it in any other, is giving up the principles of civil liberty, the common sense of our ancestors, and the genius of this constitution." *Guth. Hist. Engl. vol. i. p. 303, 304.*

By this account it appears, that earl Godwin was so far from being acquitted of the murder of Alfred, as Smollett, Carte, Rapin, and Rider have it, that he was found guilty by his peers, by his nearest relations, and by his own tacit acknowledgement, and that he saved his life only by commuting for his crime.

* This writer relates the manner of his death as follows: As Godwin was sitting at table with the king, the cup-bearer in his hurry made a trip with one foot, but recovered himself with the other. Several who were present making themselves merry on this incident, observed that one foot came luckily to the assistance of the other; and the earl, to increase their mirth, added, "So brother should assist brother, when either stands in need." Edward, turning to the earl as soon as the words were out of his mouth, replied, "So might my brother have helped me, if Godwin had not interposed." The earl being surprised and abashed with this sudden retort, was very much dejected, and with a countenance that discovered deep sorrow, addressed the king to the following effect: "I know your majesty is persuaded that I am the author of his death, and that you still give credit to those who asperse me, as a traitor both to him and to yourself; but God, who knows the secrets of hearts, shall judge: if I am guiltless, I beg that he would suffer me to swallow this morsel unhurt; but if it should stick by the way, you need no further proof of my guilt." Having said this, he endeavoured to get the morsel down, but it stuck in the passage, and by his continued efforts to swallow it, stopped up the avenues of life, and choked him.

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he adds, "that it was the sorrow of the nation, who bewailed him as a father and a support."

Thus fell the greatest subject England ever saw, and one of the greatest men she ever produced, had his virtues been equal to his abilities; but he was of an ambitious and turbulent spirit, and not over-conscientious when the interests of himself or family were in view. However, his great love for his country, and his aversion to foreigners, have occasioned his character to be handed down to us with blacker circumstances than it appears to have deserved. The death of a nobleman of such extensive power might have occasioned a change in the administration, productive of danger; but the earl's influence descended almost entire to his family. His eldest son, Harold, succeeded to all his titles, possessions, and authority, unimpaired, and at the same time held the office of steward of the household*, with the governments of Kent, Suffex, and the West Saxons; but was obliged to resign his own government of Essex to Elfgar, the son of earl Leofric. Harold as yet lay under no imputation of any of those crimes of which his father had been accused; besides, he was more humane, polite, and insinuating; and, on all occasions, behaved with so much respect to Edward, that he soon got into his good graces: not but that Edward put on a face rather foreign to his heart, for though he might not bear so great a hatred to Harold as he had done to his father, yet he was to the full as jealous of him; and indeed with great reason, for Harold, whose abilities were no ways inferior to those of Godwin, had, by the additional charms of his obliging and courteous behaviour, firmly gained over to his interest both the nobles and the people; whereas the natural haughtiness and reserve of Godwin's disposition had often times lost him many friends. In a word, Harold, though he seemed to obey the king in the most submissive manner, commanded him; whereas Godwin, though he endeavoured to command the king, was obliged to obey him.

The year 1054 is noted for the quarrel that Edward had with Macbeth king of Scotland, who had murdered his lawful sovereign, Duncan, by whom he had been loaded with favours, and had usurped the crown. The bloody tyrant, not content with this, now wanted to destroy that prince's son, Malcolm Canmore, who possessed Cumberland as eldest son and heir-apparent of the king of Scotland. Malcolm hereupon repaired to the English court, to supplicate Edward for assistance; and, notwithstanding the aversion which nature had implanted in the mind of the latter to every thing that had the appearance of war, he thought his honour was too deeply concerned in the support of the injured prince, to refuse him the required aid; and at the same time was not displeased to have an opportunity of shewing his kindness, where it would appear so conspicuous. He therefore sent him back

with an army of ten thousand men, headed by that gallant and warlike nobleman Siward earl of Northumberland; who being joined by Macduff, the thane of Fife, a nobleman not more distinguished by his rank and his virtues than for his loyalty to the blood of Fergus, they marched against the usurper, who gave them battle †, and was defeated after a most bloody contest, in which great numbers perished on both sides. Macbeth, after this action, retired to the Highlands, where he was deserted by his subjects, and at last taken and slain. Upon his death, Malcolm, the rightful heir to the crown, ascended the throne of his ancestors without further opposition.

About this time, we are told, that Rice, the brother, or son, of Griffith, prince of South Wales, having taken up arms against the English, entered their territories in an hostile manner, and committed several depredations, was routed by the king's forces, and himself taken prisoner, and sent up to Edward, who ordered him to be put to death, agreeable to a standing law at that time, which made it a capital offence for a Welshman to pass Offa's Dyke without licence.

The next year (A. D. 1055), after his successful expedition against the Scottish usurper, died earl Siward, of a bloody flux. Finding his end approaching, he ordered his armour-bearer to put him on his complete suit of armour; then causing himself to be supported on his feet, and taking his sword in his hand, "Thus (said he) should every soldier die." So saying, he breathed his last in the arms of those who supported him ‡.

Waltheof, his only surviving son, being too young to rule the Northumbrian territories, the government of that extensive province was entrusted to the care of Tosti, brother to Harold, who thereby acquired a very great accession of power and interest in the kingdom; and in the ensuing year a transaction happened, which strengthened it still more.

Elfgar, son to the great and wise nobleman Leofric, earl of Mercia (the only survivor of that powerful triumvirate which had restored and supported the blood of Cerdic on the throne), was accused, before an assembly of the states, of treasonable practices; but the particulars of this charge have not been handed down to us ||. One or two of our favourite modern historians have, indeed, upon the credit of Ingulphus, Malmesbury, and other Norman writers, roundly asserted, that this accusation was brought about by the underhand practices of Harold, who bore Elfgar an ill-will on account of having been obliged to cede to him the government of Essex: but Harold's subsequent conduct in respect to this discontented lord, sufficiently evinces the malice or ignorance of those writers, who indiscriminately bespatter the names and characters of all such who shewed themselves strenuous assertors of the liberty and independence of the people of England, which was swallowed up

* *Major aulæ regie*, or, as termed in France, *Maire du palais*.

† Archbishop Spotiswood tells us, that Macbeth, upon receiving advice of the strong army marching against him, was seized with great dread; and the arrival of the murdered king's son and the beloved Macduff was no sooner known among the common soldiers, than they deserted in great numbers, so that the tyrant seeing himself abandoned, and not knowing what to do, shut himself up at first in the castle of Dunfinane, a fort that he had lately built. The loyal army marching thither, no sooner came in sight, than Macbeth, struck with a fresh panic, abandoned the fort, and thought to have saved himself on horseback; but being pursued by some of Malcolm's friends, he was taken and killed.

‡ This heroic behaviour is of a piece with the noble manner in which he took the news of his son Osbern's death, who was slain in the battle against Macbeth. Hearing that he was killed, "Whereabouts are his wounds?" demanded he; being answered that they were all before, "Haste then, and bring him to me (he said), that I may give him a soldier's burial, as he hath deserved."

|| It is more than probable that his alliances with the Welsh and his great family-interest, had awakened jealousy and fear in Edward, who was naturally of a timorous and suspicious temper.

in the success of the Norman usurper. But to return: Elfgar being prosecuted for practices against the state, was, through the prevailing faction of his enemies, found guilty in the assembly of the states, and sentenced to banishment: a sentence which filled the mind of every unprejudiced Englishman with sorrow and resentment.

In this extremity Elfgar availed himself of a maxim, which unhappily has been adopted by too many great men, which is, that *exile absolves from allegiance*. Full of this false sentiment, he passed over into Ireland, where he soon got together eighteen ships, and landing in Wales, made a tender to Griffith, prince of that country, and together they concerted a plan for invading the English territories. Nor were they long before they put it into execution, for in the spring of the next year, 1056, they marched into Herefordshire, laying the whole country waste as they proceeded. Rodolph of Maine, the king's nephew, being acquainted with their inroad, got together a body of men in haste, and went to give them battle; but for want of either courage or abilities, he lost the day, and taking to flight with a company of French and Normans, who had followed him into the field, he left the brave English exposed to the fury of the enemy, who mowed down whole ranks, till tired with slaughter they were constrained to sheathe their swords. Immediately after this easy victory, they marched to the city of Hereford, which they entered, killed seven canons who guarded the door of the church, and burnt the monastery of St. Ethelbert together with the city, and put most of the inhabitants to the sword; after which they retired with a great booty.

Edward, immediately upon the news of these outrages, ordered earl Harold to take the field against the invaders, and, if possible, reduce them to obedience. That nobleman accordingly set out upon his march, and did not stop till he had penetrated as far as Snowdon, in Caermarthenshire, in South Wales, but found it impracticable to force the enemy to a battle, or to make any further progress with his army. This state of inaction gave both parties time to reflect on their true interests; they soon grew weary of the war, and Harold, who was of an open generous disposition, and mindful of the obligations he had lain under to Elfgar, readily closed with that nobleman's first proposal of peace, and even made use of all his interest to obtain a pardon for him, and got him at length restored to his estate and honours: a noble instance of generosity, which at that time gained Harold the esteem of all his contemporaries, and is a sufficient contradiction to the report of his having privately endeavoured to ruin the son of Leofric.

There is some reason to believe that Griffith, prince of Wales, was not included in this pacification; for the next year, 1057, we find him renewing his hostilities again, and become so formidable, that Edward, by the advice of old earl Leofric and Harold, granted him a safe and honourable peace.

On the third of August, A.D. 1057, that wise and good nobleman, Leofric earl of Mercia, celebrated for his probity, justice, and piety, irreproachable in all his conduct, ever faithful to his

king, and universally beloved and esteemed by all degrees of people, departed this life, and left the nation in deep sorrow for so great a loss. He was succeeded in his government of Mercia by his son Elfgar.

About this time, Edward finding himself growing infirm with age; that the great men, upon whose fidelity and counsels he could best depend, were daily dropping off; and, above all, dreading lest a descendant of the hated family of Godwin should mount the throne after his death, resolved to defeat all such views; and in order, at the same time, to procure an active friend for himself, sent Aldred, bishop of Worcester, his favourite, to Hungary, for his nephew Edward, son of Edmund Ironside, then about forty years old, who came over accordingly, with his son Edgar Atheling*. The arrival of this prince, the son of a king whose memory was so dear to the nation, awakened in the English all their love and veneration to the race of Cerdic, and therefore, without hesitation, they acknowledged him as heir-apparent to the crown; their esteem for Harold giving place to their affection for the royal family.

As to Harold, notwithstanding that the arrival of this prince bid fair to disconcert all those schemes by which he proposed to secure the crown of England to himself after the death of the Confessor, yet he did not dare to manifest the least resentment at this measure of the king's, which was both prudent and well-timed, as such a behaviour might have forfeited his credit with the people, and given Edward a plausible pretext for pushing his ruin. However, he was soon eased of half his pain, and the joy of the English quickly damped, by the death of Edward the Outlaw, which happened a few days after his arrival at London. Edgar Atheling, the only son of the deceased prince, and the last male of the Saxon royal line, was young, unexperienced, inactive, weak, and in all respects unable to bear the weight of a crown, as well as unfit to struggle for it with so powerful a competitor as Harold; and even had Edward declared him his heir upon the death of his father, Harold had the fairest chance of governing as regent during the minority, in case the king did not long survive, which his years and infirm state of health seemed to render doubtful.

A. D. 1058, earl Harold took his famous and fatal voyage to Normandy. Our historians are greatly divided, not only with regard to the views, but to the manner and circumstances of this voyage; some ascribing it to mere casualty, others saying it was undertaken from a premeditated design. William of Malmesbury tells us, that Harold being at his house in Bosenharn, in Suffex, near the sea-side, he, for his recreation, with some of his retinue, took a fishing-boat, in order to row up and down at a small distance from the land; but running out a little farther to sea than they were aware, a storm suddenly rose and forced them across the channel to the French coast, where (glad to be safe at any rate) they landed in the territories of the earl of Ponthieu. The inhabitants of that coast, according to their custom, and that barbarous practice which, to the shame of humanity, still subsists in many parts of our own sea-coasts, to make a prey of the distressed and ship-

* i. e. *Truly noble*, to denote his being of royal blood. His father, Edward the Outlaw, was buried at St. Paul's in London, 1057. Saxon Chron.

wrecked, fell upon them, and, being many and well armed, soon compelled earl Harold and his followers, who were not provided with weapons, to surrender themselves; when they were all cast into prison and loaded with chains, on pretence that they were come over as spies.

In this situation of affairs, Harold cast about within himself what was best to be done, when, after some deliberation, he hired a messenger to go to duke William, and acquaint him, "that he (Harold) had been sent over by the king of England, formally to confirm certain matters of deep import to the duke, which he had hitherto only received by distant hints from envoys of inferior note; but that he was kept prisoner by the command of Guy earl of Ponthieu, and thereby prevented from discharging his embassy; representing, at the same time, that William's honour and character were concerned in not suffering such a breach of the laws of hospitality, and so great an insult on his own authority as sovereign of the country, to go unpunished;" and concluded with appealing to him for justice, saying, "that if it was required of him, to purchase his liberty, and that of his followers, with money, he was ready to pay the same to duke William; but never would submit to do it to a person inferior to himself, as was earl Guy." Hereupon duke William instantly gave orders for setting Harold at liberty, who repaired to the duke's court; where being honourably received, and by the duke invited to accompany him on an expedition he was then about to make into Brittany, he so far ingratiated himself into the Norman's favour, by his wit, courage, and insinuating address, that the latter shewed him every distinguishing mark of friendship; and Harold, not to be behindhand with so generous a patron and protector, promised him by oath, that in case king Edward died, he would deliver up to him the castle of Dover, which was then under his command, and use all his influence to procure him the crown of England. Duke William, confiding in the earl's protestations, and to endear himself and cause the more to his care, betrothed to him his daughter, then too young for marriage; and the affair of the succession being thus concluded between them, Harold was sent home, loaded with rich presents.

This is the account given by William of Malmesbury*, and the most authentic of our old English historians. Smollett†, who follows Rapin and the authority of Brompton (who, as he is single in many things, so he is in this), says that this voyage was voluntary, and undertaken in order to release his brother Ulnoth and his nephew Hacune, who had been delivered as hostages for his father Godwin's good behaviour, and sent into Normandy‡; and that while he was at William's court, that prince gave him to understand that he had designs upon the English crown, and that a private contract had been made between Edward and him, when he was last in England: the earl, who had never suspected any collusion between the king and the duke, and being at that time in the power of the latter, thought it most adviseable to dissemble his own

sentiments and views, promised to contribute his interest in behalf of William, demanded his daughter in marriage as a proof of his attachment, and confirmed his promises by an oath in the presence of the states of Normandy. Wace§, William Pict-venfis§, and Carte¶ tell us, that Harold was sent ambassador, to carry the account to William, that Edward had appointed him his successor. Amidst this contrariety of sentiments the reader might be perplexed to fix his choice, if, as Tyrrel justly observes**, "it was not easily to be perceived, that the two last accounts were forged by the later monks; and that they would not have been omitted by William of Malmesbury if he had known any of them, or thought them to have been true."

Much about the time of Harold's setting out on this voyage, Elfgar, the son of earl Leofric, who succeeded to all his father's great possessions, fell again under the king's displeasure, and was banished the kingdom the year after his father's decease. Under these circumstances he had again recourse to his former friend and ally Griffith, who lent him a considerable body of forces; and having also found means to procure a large fleet from the Norwegians, he appeared on the Kentish coasts, in a condition to effect a formidable invasion; the dread of which, together with earl Harold's absence, the only general Edward thought capable of opposing so powerful an enemy, induced that faint-hearted prince to comply with the proposals of Elfgar, whose attainder he took off, and once more restored him to his estate and government, on condition that he should send home all his forces at his own expence. Elfgar did not long survive this extorted restoration, but dying, left all his great possessions to his sons Morcar and Edwin.

Edward, having thus got rid of this dangerous subject, resolved to take vengeance on those who had abetted and assisted him in his late insult on the royal prerogative, turned his arms against Griffith prince of Wales; and Harold being now returned†, that nobleman was sent with a strong body of horse, with orders, if possible, to surprize him: but Griffith being informed of the earl's design, fled with precipitation, and abandoned the ships which he had just fitted out in order to renew his invasions; these fell into Harold's hands, who, after having seen them all burnt, returned to England. In a very short space of time, however, Edward again sent a formidable army to invade the Welsh territories, both by sea and land. In this expedition Harold acted as admiral of the naval forces, while his brother Tosti commanded as general of the army which was to make the attack by land. This powerful invasion so terrified the Welsh, that, losing all sentiments of honour and loyalty in their fears, they basely gave up the cause of their prince and country, and made their peace with Harold on the infamous conditions of delivering Griffith into his hand; which was accordingly done, and that unfortunate prince underwent the same fate with his brother Rice††, being put to death, and his head sent to the king at Gloucester. Edward's vengeance being satiated with the fall of this powerful enemy, granted that kingdom to Blethyn and Rithwallen, the two surviving

* Lib. ii. cap. 13.

† Vol. i. p. 248.

‡ See page 119. of this vol.

§ Page 448, 449, 450.

¶ Page 181.

¶ Vol. i. p. 353.

** Vol. i. p. 93.

† A. D. 1063, according to the Saxon Annals; but by Simon of Durham and Florence placed A. D. 1064.

†† See page 121.

brothers of Griffith, who ruled in conjunction, after having taken the oath of allegiance and tribute to Harold, in behalf of the king*.

Though Tosti, the brother of Harold, had acquired great honour by his military skill and prowess, in the conduct of this expedition, and had thereby rendered himself very popular, yet that ambition and restless disposition which seems to have been the characteristic of the Godwin family, prompted him, on several occasions, to behave so tyrannically and oppressively to the Northumbrians, who were immediately under his government, that, unable longer to support their miseries with patience, they had recourse to arms, preferring the prospect of death to certain want and slavery.

Having, at the same time a quarrel with one Gospatrick, a man of great interest in Northumberland, he found means to get him murdered, and afterwards endeavoured to charge the odium of his death upon his sister Editha. Not content with this, he, under the specious mask of friendship, got into his power two of Gospatrick's friends, Gammel and Wlf the son of Dulfín, whom he inhumanly put to death in his own palace. These complicated acts of perfidy and bloodshed put the finishing hand to what his pride and insolence had begun; and three or four of the principal noblemen† of the country, at the head of four hundred men, seized upon the city of York, made themselves masters of all Tosti's treasures, which were there deposited, put to death two hundred of his friends and followers, and then sent a deputation to Morcar, son of the deceased earl Elfgar, inviting him to take upon him the government of the Northumbrians, who were now determined to throw off all subjection to a person who had rendered himself so odious to them, by his male-administration. In this they were joined by the inhabitants of Nottingham, Derby, and Lincolnshire. Hereupon Tosti appealed to the king, under whom he immediately held his government; and a conference was appointed to be held at Northampton, while earl Harold was ordered to march with a strong body of men, in hopes of over-awing the malecontents: but when the conference came to be opened, these people, who were warmed with the noble spirit of liberty, and not actuated by principles of ambition or rebellion, represented their motives for taking up arms, and their resolution not to lay them down till they had procured redress, in such persuasive terms, that Harold, perceiving their resentment against his brother to be entirely owing to his own bad conduct, gave a noble instance of his moderation and justice by drawing off his forces, and consenting to their election of Morcar in his room; and making a report to the king much in favour of the complainants. Tosti, finding himself thus deserted by his brother, proceeded to such acts of

revenge and cruelty against those of the Northumbrians who were yet in his power, that Edward found himself under the necessity of banishing him the kingdom; whereupon he retired to earl Baldwin, in Flanders, whose daughter Judith he had married.

About this time, Malcolm king of the Scots, taking advantage of the disturbances in Northumberland, invaded that country, which he ravaged in a merciless manner, directly contrary to the faith of the treaty subsisting between him and the English, who had so lately assisted him in recovering his crown out of the hands of the usurper Macbeth; unless we are to suppose that Tosti's ambition had led him to be the aggressor, by first committing outrages upon the Scotch territories, which lay contiguous to his own, and which, indeed, does not seem improbable, when we consider the general tenour of this turbulent man's conduct, boundless in his avarice and rapaciousness, and unrestrained by any good quality to keep him from running into the most enormous excesses to gratify his passions and resentment, which fell upon all the world without distinction‡.

The disgrace of Tosti was a great addition to the interest of Harold, who not only became the idol of the people from this last instance of integrity, but also reinforced his credit by his alliance with Morcar earl of Northumberland, and Edwin earl of Mercia, whose sister Elgitha he married; so that these two counties, together with his own earldom of Wessex, being secured in his family, his influence and power extended over the whole kingdom.

While Harold, thus daily growing in power and influence, was busied in every act that he thought most likely to secure him the succession after Edward's death (for as to his compact with William of Normandy, as that had been forced from him by the exigency of his situation, he no longer thought of performing it), that priest-ridden prince was wholly taken up in consecrating the cathedral of Westminster||: and that this ceremony might be performed in the most solemn manner, he convoked a general assembly of the states at London, towards the close of the year 1065, in order to confirm his charter of endowment of the said foundation.

At this council were present the queen Editha, with all the lords both spiritual and temporal. The charter, after the recital of the pope's bull, contains this clause: "The king, for the expiation of his own vow, and also for the souls of the kings his predecessors, as well as successors, had granted to that place (viz. Westminster) all manner of liberty, as far as earthly power could reach, and that for the love of God, by whose mercy he was placed in the royal throne; and now by the counsel and decree of the archbishops, bishops, earls, and other of his great men, and for the be-

* It appears from several historians, that these two brothers of Griffith had served under Harold against him, and thereby got possession of the throne of Wales, upon his death, on the terms abovementioned.

† The names of these noblemen were Gammelbearne (i. e. the son of Gammel), Dimestan the son of Ægelnoth, and Glaincorn the son of Eardulph.

‡ Among other instances of the brutal temper of Tosti, the following in particular proves him to have been a monster of barbarity: he had always hated his brother Harold, but the conduct of that nobleman in this last affair had exasperated him to such a degree, that he seized some of his domestics, whom he ordered to be cut in pieces, salted, barrellled, and sent as a present to their master. Flor. Wigorn. Chron. Sax.

|| Edward had made a vow (agreeable to the spirit of those times) to go on a pilgrimage to Rome; but as he afterwards found it inconvenient, as well as disagreeable to his subjects, to leave the kingdom, or, what was still more likely, was fearful of leaving behind him such a subject as Harold, who might take advantage of his absence to supplant him in his throne, he therefore obtained a dispensation from the pope, absolving him from this obligation: but he thought he could not employ the money he had raised for his journey, to a better purpose than that of building the monastery and cathedral of Westminster, which he erected in the place where an old church had stood, that was founded by Sebert, king of the East Saxons, or rather converted into a Christian church, from a temple in which the old Saxons had worshipped Apollo.

nefit and advantage of the said church, and all those that should belong to it, he had granted these privileges following, not only in present but for future times." Then follows an exemption from all episcopal jurisdiction; as also another clause, whereby he grants it "the privilege of sanctuary, so that any one, of whatsoever condition he be, for whatsoever cause, that shall fly unto that holy place, or the precincts thereof, shall be free, and shall obtain full liberty." And at last concludes thus: "I have commanded this charter to be written and sealed, and have also signed it with my hand with the sign of the cross; and have ordered fit witnesses to subscribe it, for its greater corroboration." Then immediately follows the king's subscription, in these words, "Ego Edwardus, Deo largiente, Anglorum rex, signum venerandæ crucis impressi." Then follows the subscription of queen Editha, with those of the two archbishops, seven of the bishops, and as many of the abbots; after which come on the subscriptions of the laity, viz. of Raynald the chancellor, and of the earls Harold and Edwin, who write themselves dukes; and six thanes, besides others of inferior order.

Then follows a third charter of the same nature with the former, containing Edward's letter to pope Nicholas, with the bull of the latter, reciting the privileges granted to the church, the subscriptions being much in the same order as the former, only one Osbold and another of the king's chaplains subscribe before the lay nobility; and, besides the thanes, several subscribe under the denomination of *milites*.

This was the last act of Edward's life, for he was taken very ill before the breaking up of the council. This illness was probably occasioned by the great fatigue he had undergone in the prosecution of this affair; for we find that he was seized with a violent fever, attended with ravings. However, his disorder, dangerous as it was, could not call off his thoughts from his favourite object. Finding the time of his dissolution approaching, his principal care was to finish the ceremony on account whereof the assembly had been convened, and growing a little better after his first attack, he ordered every thing to be got ready for the consecration of the church, at which he assisted, with all the great men of his kingdom, both spiritual and temporal: but his malady increasing, the next day he was forced to take to his bed, from whence he never more arose with life, but expired on Thursday, January 5, the eve of the Epiphany, A. D. 1066, in the twenty-fourth year of his reign. His body was, by his own appointment, buried in his newly-consecrated church of St. Peter, Westminster.

Thus died Edward, surnamed the Confessor, on account of his reputed holiness: how far he merited that title will best appear from the history of his actions. The monks, indeed, ever fast friends to all those who connive at or encourage their indolent and rapacious disposition, and who reaped great advantages from this king's liberal bigotry, have not been satisfied with extolling those few virtues which he really possessed, to the skies, but have even canonized his very faults, and endeavoured to impose them on the world as so many proofs of his piety; witness Ailred, his historian, or rather panegyrist, who with great solemnity assures us, that he married Editha, the daughter of earl Godwin, purely to exercise his virtue by continual tempta-

tion. But his treatment of that lady, as soon as ever he was in a condition to exert his power over her, sufficiently shews what credit ought to be given to this legend. Nevertheless, for this and other his reputed virtues, he was canonized by pope Alexander III. about two hundred years after his death, by the name of Edward the Confessor. Pope Innocent IV. afterwards granted a bull to fix the anniversary and order the solemnity of the festival, which was on the fifth of January, the day of his decease.

Amongst other supernatural qualifications, which entitled him to a rank among the saints, was the special privilege which he is said to have received from heaven, of curing by touch the scrophulous malady from him called the king's evil; a privilege which some affirm to have descended upon the kings of England his successors. How far this gift was real or imaginary, I leave to the reflection of every person of enlightened understanding, who need not be told that surprising effects have been produced by the effluvia of bodies of a certain constitution upon the human frame, without any supernatural intervention; I shall, therefore, only observe, that it was not peculiar to the kings of England, since the kings of France have claimed the same privilege ever since the time of Clovis, the first Christian prince of that kingdom.

No unprejudiced person can forbear smiling when he finds our countryman Carte labouring so seriously to establish the truth of this legendary fable by numerous quotations, and arguments no less ingenious than sophistical: however, as some of our readers may be desirous of hearing all that is to be said on both sides of the subject, we have therefore ventured to transcribe his sentiments, such as we find them in p. 358. vol. i. of his History of England: the words printed in *Italic* may serve as indices to point out what this author immediately drives at.

"It was to the *hereditary right* in the royal line (says Mr. Carte) that people, in Malmesbury's days, ascribed the *supernatural* virtue of our kings in curing scirrhus tumours, called the king's evil; though this author is willing to impute it to the singular piety of Edward, there is no proof of any of our kings touching for that distemper more ancient than this king, of whom Ailred, as well as Malmesbury, observes that he cured a young married woman, reduced by it to a deplorable condition, by stroking the place affected with his hand, upon which she grew sensibly better, the tumour dispersed, the scar wore off, and in a week's time the cure was perfected. There are no accounts of the four first kings of Norman or foreign race ever attempting to cure that complaint; but that Henry II. both touched those afflicted with it, and cured them, is attested by Peter Blesensis, who had been his chaplain. Bradwardin, archbishop of Canterbury under Richard II. the lord Fortescue, and other grave authors, give the like testimony in behalf of the cure of, as well as practice by that prince's successors; besides a great number of evidences that might be drawn from records, many of which are printed by Tucker, having been communicated to him by the late Garter, the learned Mr. Anstis. There is a particular religious office used at the time of touching, not disagreeable to the simplicity of the Saxon times; in the ceremonial whereof, the king, at the reading of the first gospel, gently draws both his hands over the sore,

much after the manner used by Edward. All our English kings have continued to use this rite to this day [our author asserts this in the year 1747.] And the French, from the time of St. Louis, if not of Philip Auguste, have imitated them in it, with the like salutary effect. Some of the French writers ascribe this gift of healing to their kings' devotion towards the relics of St. Marculph, in the church of Corbigny, in Champagne, to which the kings of France, immediately after their coronation at Rheims, used to go in solemn procession: and it must be owned there was formerly a veneration paid to this saint in England. It was in memory of him that a room in the palace of Westminster, frequently mentioned in the Rolls of Parliament at the time of its assembling, was called the Chamber of St. Marculph; being probably the place where our kings used to touch for the evil; it is now called the Painted Chamber. And though the name of that saint has been long forgot in this nation, yet the *sanative virtue* of our kings still continues. Nor is it confined to them alone; for though Fortescue (at the time of whose writing there had been no sovereign hereditary queen crowned in this realm) imagined it was not communicated to queens, because they were not anointed in the hands; the contrary hath been since proved by abundant experience. Tucker relates a remarkable instance, in the cure of a Roman catholic; who being put into prison, perhaps for recusancy, and terribly afflicted with the king's evil, was, after he had been there for a tedious time at vast expence to physicians, without the least relief, touched by queen Elizabeth, and perfectly cured. This gave him occasion to say, he was now convinced by undoubted experience, that the pope's excommunication of that queen signified nothing, since she still continued blessed with so miraculous a quality." In order to obviate an objection which might be made to this prolix account, our author adds, in a note, "that the cure cannot be imputed to the strength of imagination, is evident from the numbers of children that have been so cured. Dr. Heylin, an eye-witness of such cures, says, "I have seen some children brought before the king (Charles I.) by the hanging-sleeves, some hanging on their mothers' breasts, and others in the arms of their nurses, all cured without the help of a serviceable imagination."

There are some few anecdotes of Edward's private life handed down to us, as instances of his affability and good-nature, amongst which are the two following, that have been invariably related by all the writers of his history.

One day, as he was reposing himself on his bed, with the curtains drawn round, a page of his chamber came into the room, in order to do some menial offices, not knowing the king was there; and a coffer being left open, in which was money to a considerable amount, the youth, thinking himself secure from all detection, filled his pockets with the specie, and retired; Edward, who saw him all the while through the curtains, not giving him the least disturbance. In a very few moments the thief returned again, and fell to work as before; when the king, displeased at this repetition of his bold-

ness, called out to him, "You young rogue, you had best be contented with what you have gotten, for should lord Hugolin* come and catch you, he will not only cause you to be soundly whipped, but also take away the booty you have already made." The boy, half dead with fear, instantly disappeared, and Hugolin coming in presently after, and finding that some of the bags were missing, flew into a violent passion, and uttered threats of the severest punishment on the felon, if he could discover him: but Edward, with great good-nature, endeavoured to pacify him, "For the poor knave (said he) who has the money, wants it more than we do."

As another instance of his placability and patience under injury, we are told, that being one day a hunting (a diversion of which he was particularly fond) and having the chace in full view, a country fellow crossed the road, and so affrighted the king's horse that he had well near thrown his rider, and utterly spoiled the sport; but Edward recovering himself, rode up to the rustic in seeming great wrath as if he was going to beat him, and saying, "By the Mother of God, I would be even with you if I could," left him.

Against these two trivial instances of mildness and placability of temper, we need only bring his treatment of his own wife and mother, and the deadly antipathy he shewed on all occasions to the family of Godwin, to whom he was indebted for his existence as a king.

As to his remission of the tax of Danegelt, which has been so much cried up as an instance of his equity and the paternal love he bore his subjects, we have but to look into Ingulphus to be fully satisfied concerning the cause of this popular concession. According to that writer, "Edward going into the treasury where this tax had been deposited, saw the devil dancing and skipping upon the bags of money (though, by the bye, no one could see the fiend but himself), this sight had such an effect upon the monarch, that he ordered all the money to be restored to the right owners, and the tax to be abolished." Now is it not evident to every sensible person, that Edward's imagination, which was strong in proportion as his intellects were weak, had been worked up to this height by the execrations of his subjects against the payment of Danegelt; and his fears co-operating with the superstitious turn of his mind, raised up this phantom to his idea?

In a word, we may, without incurring the censure of malevolence or partiality, but only from a fair retrospect of the actions of that prince's life, sum up his character in these few words: he was a bad husband, a bad son, an indolent king, a faithless friend, an inexorable enemy, a dupe to foreigners, and a sponge to the monks, who, for that and no other reasons, have honoured him with the title of a saint and a confessor.

As a legislator he stands in a more favourable point of light; for he made, or digested several excellent laws, which have been looked upon by all succeeding kings as the standard of their conduct and administration, and made one of the articles of the coronation-oath. These will be found in their proper place, at the end of the period under consideration.

* This is the same person whom we find thus described by Fleet: "Hugolinus nobilis, principalis sancti regis Edwardi cubicularius, semper Deo devotus, & predicto regi inter omnes hujus Romani proceres miles fidelissimus.—Hugolen, chief mi-

nister and chamberlain to St. Edward the king, a servant entirely devoted to God and his prince, and the most faithful knight among all the nobility of the court."

As to Edward's person, we have it thus described by a very old author†: "He was of a fair and ruddy complexion; well-shaped and handsome in his person; rather tall in stature, and, in his latter years, venerable for his long white beard. The dignity of his person added majesty to the royal robes, instead of receiving it from them; and were worn by him only for state, and not out of a love of grandeur. In his diet, no man was more abstemious: in his dress, no man more plain."

Edward was the last king of the race of Egbert, though not the last Saxon king, as some have affirmed, since his successor was of that nation. Had it not been for his absurd and preposterous vow of chastity, he must, in all probability, have left an heir to his crown and dominions, and thereby have prevented a revolution which reduced the English to the most abject state of slavery.

H A R O L D II. A. D. 1066.

EDWARD had been so taken up in the latter years of his life with the religious mummeries of the dedication of St. Peter's, Westminster, that he had neglected to nominate his successor: indeed, had the great men of the state paid any regard to equity, or the right of lineal descent, there could be no room for debate to know on whom the crown naturally devolved at Edward's decease: Edgar Atheling was the only surviving prince of the family of the ancient kings, and consequently the only one who had a just claim to the crown. However, Harold had taken his measures so well, that it was impossible for any but himself to be chosen. As to Edgar, he was a boy, and, as has been before observed, unable to contend with Harold, who was already, in effect, master of the kingdom. The English clergy were almost to a man on his side, and there was not left any nobleman of power and weight sufficient to take Edgar under his protection besides Edwin and Morcar, and they were too much linked in with Harold to be depended upon for opposing his measures. William of Normandy, who founded his title on a pretended will of Edward, was of a country to which the English had an implacable aversion, and they were ready to submit to any ruler, rather than fall under a foreign yoke.

Harold made the most of these circumstances for his own advantage; and to take away all opportunity of forming a contrary party or cabal, he caused the funeral obsequies of the deceased Edward to be performed the very next morning after his death, it being a custom in those days to defer the coronation of a new prince till his predecessor was interred. That business at an end, the assembly was convened for the choice of a person to fill the vacant throne, when the generality of suffrages went in favour of Harold, who was accordingly declared king, and anointed by Aldred, archbishop

of York, Stigand of Canterbury being at that time indisposed. This hurry, so unusual in the beginning of reigns, shews Harold to have looked upon his right as very disputable. There is so strange a disagreement among the authors who have written the history of this period, concerning the manner in which Harold ascended the throne, that, in order to satisfy the curious reader, we shall add their different opinions in a note, to prevent him the trouble of turning over a number of books, some of them not easily to be met with, leaving him to his own reflection, without presuming to bias it by any opinion of our own*.

Harold having thus usurped the throne, under the appearance of a legal election, applied himself to gain the affections of the people by measures the very reverse of those he had formerly used; for as before his accession, and while in pursuit of a crown to which he had no title, he had stuck at nothing to gratify his ambition and thirst of power, he now put on all the appearance of humility, and to such a degree did he carry his dissimulation, that he affected on all occasions to treat the young Edgar Atheling with the greatest marks of respect and kindness, hinting at the same time that he took possession of the sovereign power merely for the sake of the infant prince, whose nonage rendered him unfit for the weight of government, and that he might possibly shift the diadem from his own brow to place it upon his, when years had ripened him into maturity for wearing it. He spared nothing to give him the most liberal education, as a person who was one day to rule over others; he loaded him with gifts and honours, and particularly cherished those whom he knew to be favourers of that prince's cause. By these and the like politic steps, and by seizing every opportunity of easing the people of their burthens, and righting them in all their just complaints, he established such a dominion over their minds, that he reigned the king of their choice, and bade defiance to any cabals that could be raised against his power and authority.

I am well aware that we may find a different character of him in Knyghton, and other Norman historians, who represent his administration as highly oppressive and tyrannical, and such as rendered him infinitely odious to the nation; but as we have no authorities to uphold this censure but those of interested and suspected writers, we cannot give them the degree of credit they seem to require.

The wise precautions Harold took to secure himself in the good opinion of his subjects appear to have been dictated by a politic foresight; for he was not only threatened with a descent by William duke of Normandy, to whom he had forfeited his promise, but was likewise exposed to the machinations of his own brother Tosti, who hated him mortally, and, either out of old resentments, or envy at his new dignity, or perhaps because on his acqui-

† Gervasius Dorobornensis.

* Eadmer and Hoveden tell us, that Harold was nominated by Edward for his successor; and being, for that reason, elected by all the chief men of the kingdom, was the same day anointed.

Henry de Silgrave (an author who wrote in the time of Edward I. and whose history is now in manuscript in the Cottonian collection) relates, that Harold came to Edward, as he was lying on his death-bed, desiring him to appoint a successor: that he replied, he had already nominated duke William for his heir: but the earl and his friends still persisting in this request, the king, turning his face to the wall, replied, "When I am dead, let the English make either the duke, or the earl, king."

Malmesbury, who inclines to the Norman party, asserts, that Harold, finding a great disagreement among the nobles about the succession, seized the crown, placed it on his own head, and intimidated the assembly so, as to extort an oath of allegiance from them.

Huntingdon, without mentioning any thing of the election, informs us, that several of the English were inclined to favour the pretensions of Edgar Atheling.

And Ingulph, a cotemporary writer, who speaks with great caution, tells us, that Harold, wickedly forgetting the oath he had formerly made to duke William, intruded himself into the throne, and was solemnly crowned by Aldred, archbishop of York.

sition of the crown he had not given him the government of the West Saxons and their father's patrimonial estate, which he had claimed, left no means untried to disturb his government. Tosti was at this time in the court of Baldwin, earl of Flanders, father to his wife Judith, and to Matilda or Maud, duchess of Normandy; and presuming upon this affinity, as also being sensible of the pretensions which William had set up to the crown of England, went over to Rouen, on a visit to the duke, in order to persuade him to invade the territories of his brother Harold. William wanted very little incitement to the attempt; he had already resolved in his own mind to make the most powerful alliances he could against the usurper Harold, and for this purpose he had entered into a new league with the Norwegians, the ancient friends of the Normans, and had engaged Harold Harfager, the king of that country, to fall upon the Northumbrian territories, while he himself should make a descent upon the southern parts.

Things were in this train when Tosti arrived, and that discontented brother's presence served only to hasten the preparations which had been before concerted. However, till all the requisites for striking the important blow were ready, William prudently resolved to make Tosti his forlorn hope, and instrument of trying how the affections of the English stood in respect to their new king: he therefore furnished him with sixty sail of ships and a body of forces, with which he made a descent upon the isle of Wight, where he levied considerable contributions; and then retiring to his ships, he put to sea again, and scoured all the coast till he came to Sandwich.

Harold, upon the first advice of his brother's invasion, fitted out a strong squadron, and raised a large body of horse, in order to march against him in person, and punish his audaciousness; but Tosti, having been apprised of his motions, drew off with his fleet northwards, pillaging the coasts all the way he went: till at length Edwin, earl of Mercia, and Morcar, who had succeeded Tosti in the government of Northumberland, getting together a body of troops in haste, encountered the invader, and drove him, with a great slaughter of his men, back to his ships, several of which they burned, and the enterprising exile was obliged to fly for refuge into Scotland, with twelve of his ships, all that he had remaining of the fleet he had first brought with him. Here he endeavoured to engage Malcolm, king of Scots, in his interest; but that prince being then embroiled in a civil war with the descendants of Macbeth, could not be prevailed upon to join him; therefore Tosti's success in Scotland fell far short of his expectations.

Now William being determined to declare himself, sent a message to Harold, requiring him to relinquish to him that crown to which he was entitled, not only by the will which the late king had made in his favour, and which he pretended himself to be possessed of, but likewise by the agreement which Harold himself had entered into with him, at the time he released him from his imprisonment by Guy, earl of Ponthieu. To this demand, so peremptorily preferred, Harold returned as peremptory an answer, giving the duke to understand, that, in the first place, the supposed will of Ed-

ward, if any such there really was, made nothing for his claim, inasmuch as by the constitution of the kingdom no monarch of England could bequeath his dominions to any one without the consent of the states of the kingdom, much less to a foreigner; that the right of election of a sovereign to rule over them, was vested in the nobles and commons of the kingdom; that such election had been formally made in his (Harold's) favour, and therefore that he held the crown by the most authentic of all tenures, the united suffrages of the people. Secondly, that as to the pretended promise that he might have made to the duke, it was extorted from him while in a state of duress, and as such was null and void by the laws of all nations. And lastly, he concluded with declaring, that he was ever ready to maintain himself in possession of that sovereignty, to which the voices of the people, in full assembly, had raised him, against all those who should dare to contest his claim, so long as he had an arm to wield a sword, or a soldier that would fight under his banner. This spirited answer convinced William, that he had nothing to expect but from the successful issue of a war; for which both parties now made the most earnest preparations. Accordingly the duke applied to the neighbouring princes for succour, with the most alluring promises of reward, in case by their assistance he should be enabled to compass his end.

While each party was thus taken up in concerting the most suitable measures to effect and repel the intended attack, Harold Harfager, king of Norway, appeared on the coasts of England, with a fleet of three hundred sail; and being joined by Tosti, who, since his late defeat, had kept hovering on and off the northern part of the island, the two fleets sailed up the river Humber, where they landed their forces, and immediately marched forwards to lay siege to the city of York. This invasion was so sudden and unexpected, that the earls Edwin and Morcar, who were the governors of that country, had not time to levy a sufficient force to dispute their landing: however, knowing that something must be done in this critical situation, in order to check the enemy in their progress, till a stronger reinforcement could be sent from the southern parts of the kingdom, they got together a few troops from the adjacent countries, and advanced to oppose the invaders; but these troops consisting of raw undisciplined men, were quickly beaten, and the enemy proceeding onwards, sat down before the city of York, which soon fell a prey to them, where, we are told by some historians, they put the greatest part of the inhabitants to the sword.

Harold, on the first news of Harfager's descent, had put himself in march with a chosen body of veteran troops to oppose him, but could not come up time enough to prevent the fate of York. At length, however, the two armies met*, near Stamford-brigg, since called Battle-bridge†. This bridge was guarded by a party of Norwegians, who defending it with great bravery, were all cut to pieces, excepting one, who, with a valour almost incredible, but vouched by undeniable authority, alone stood the shock of the whole English army, and, armed with his battle-axe, slew every one that attempted to come over the bridge:

* September 25, A. D. 1066.

† A bridge over the river Darwent, in the East Riding of Yorkshire.

no less than five and forty of the assailants fell by the death-dealing arm of this Norwegian Cocles *. At length, however, after a glorious dispute of near six hours, that was effected by stratagem which could not be brought about by such an infinite superiority of force; for one of Harold's men getting into a boat under the bridge, through a hole he found there, ran a spear up into the Norwegian's lower parts, who, no longer able to maintain his post, fell down dead. Upon this the English made themselves masters of the bridge, which they crossed, and fell upon the enemy on the other side, when the dispute was very bloody, obstinate, and long; but victory declared in favour of Harold. The invaders were defeated with prodigious loss, their two leaders, Harfager and Tosti, were left dead on the field of battle, and an immense booty fell into the hands of the conqueror, being the whole of the spoils that the invaders had amassed in the course of their successful ravages. After this victory, Harold, following his blow, made himself master of most of the Norwegian ships that lay in the Ouse; but coming to a composition with Olaüs, the son of Harfager, and Paul, count of the Orkneys, he gave them twenty-one sail to carry off their wounded, on their swearing never more to invade the English territories.

This victory was one of the greatest that we find recorded by our historians; for, in the beginning of this expedition, the king of Norway had conquered the Orkneys, and, considering the prodigious force with which he invaded England, there was no small probability of his reducing that also. By this defeat Harold entirely frustrated that design, and did not a little disconcert the projects of duke William, at whose instigation Tosti and Harfager had made this descent, in order to give a diversion to Harold's arms, while William should effect a landing in a distant part of the kingdom; and for this purpose he proposed waiting at St. Valery's, till he should receive advice of the success of the Norwegians.

However, this victory, which seemed to establish Harold's affairs, proved the cause of his utter ruin. It was the custom of those days to divide all the spoils taken from the enemy in war, among the officers and soldiers; but Harold, by an ill-timed parsimony, though from a laudable motive †, kept the whole of the treasure to himself, which entirely lost him the hearts of his soldiers, who ascribed his conduct to an avaricious and arbitrary disposition, and looked upon him as one who had robbed them of their property, and whom, therefore, they thought unworthy of being supported by them. Let us now return to William, whom we left busied in making preparations for asserting his claim to the crown of England with success.

Having, as we before observed, engaged Tosti and Harfager to make a descent upon the English coasts, in the nature of forerunners to his grand expedition, he set himself to raise the necessary sums for defraying the expence of such an important enterprize; and for that purpose convoked an assembly of the Norman states, of whom he demanded subsidies: at the same time he laid

before them the nature of his claim, the usage he had met with, his prospect of success, and the advantage that must thereby accrue to his hereditary dominions. But these reasons, though urged with all the force of the most powerful eloquence, made no impression on the assembly; they absolutely refused to comply with his request; they remonstrated, that their country was already drained of men and money by the long war it had carried on with its neighbours, the French; and that they were not obliged to serve in foreign expeditions, in which the interest of Normandy was not immediately concerned, which they thought by no means to be the case in the present intended expedition. William, finding himself disappointed from this quarter, gave over prosecuting his enterprize as connected with the honour and dignity of his dukedom, and determined to make a private job of it: with this view he set on foot a subscription, to which every man in Europe was invited as an adventurer. This method succeeded to his wish. In a short time he found means to get several of the chief men of his duchy to contribute, as private individuals, to that scheme which they had opposed in their political legislative capacities. This inspired a general emulation who should be foremost in assisting their prince: William Fitz Osbern, a man of the greatest property and popularity in the dukedom, undertook to fit out forty ships at his own expence; and the most wealthy, after his example, subscribed very large sums, according to their respective abilities. Even his inveterate enemy, Geoffrey Martel, count of Anjou, sent him a considerable body of men. Guy, earl of Ponthieu, followed his example; Eustace, count of Boulogne, and the vicomte of Thouars, in Poictou, joined him in person with their vassals. Howel, count of Bretagne (or Brittany) levied a body of five thousand men, consisting of cavalry and infantry, which he sent under the command of his eldest son, Alan Fargant, attended by the viscounts of Leon and Dinan ‡. The emperor Henry IV. and Philip I. of France were then minors; but, on William's application, the imperial council issued out a proclamation, allowing all the vassals of the empire to enter into his service. It is said, that William had made an agreement with those princes who lent him succours, to assign lands to them in England, after the conquest of that country. But as William was a vassal to the crown of France, he expected a more powerful assistance from thence than from any other quarter; however, he found himself greatly deceived, for on making application to the council of regency, and even offering to hold England in vassalage of the crown of France, that assembly not only refused to concern themselves with his enterprize, but also either advised or ordered him to desist from it. This refusal of the French council did not, however, hinder Baldwin, count of Flanders, who was at the head of the regency and guardian of Philip's person, from giving underhand encouragement to the French nobility to assist his son-in-law. But no assistance was of greater consequence to William than the pope's declaration in his fa-

* This relation, which we have from Brompton and Knyghton, will appear less incredible when we consider, that our ancestors were at that time unacquainted with the use of cannon, which alone at present decide the fate of the day.

† The king did this with a view to convert it to the main-

tenance of the war against the Norman, without being obliged to burthen his subjects. *Sim. Dunelm.*

‡ Most of what follows is taken from Wace's MS. history, late in possession of Mr. Carte.

vour, which he obtained by promising to hold the kingdom of England as a fief of the apostolic see.

Alexander II. then supreme pontiff, full of hopes, and glad to extend the papal jurisdiction in a country where it had not been yet established, readily granted all that William asked. Harold was denounced a perjured usurper; a ring with one of St. Peter's hairs in it, and a consecrated banner, were sent to the duke, to hallow his enterprize: bulls were published to declare the justice of his cause, and to stir up every good Christian to assist him in placing him on the throne of England. This declaration, so artfully obtained, and so admirably well suited to the genius of the times, had a great effect, not only on a number of brave men in all parts of Europe, who, eager to signalize their valour and their respect to the pontifical decrees, flocked from all quarters to range themselves under William's standard, but also on the English themselves, who, looking upon Harold as an excommunicated person, and being moreover incensed against him for his late unpopular act in withholding their dues from his valiant soldiers, were more than half prepared to give the duke a welcome reception; when he, finding all matters ripe for success, set sail from St. Valery, on the eve of the feast of St. Michael, the tutelary saint of Normandy, and landed without opposition the next day at Pevensey, in Sussex, having lost in his passage only two small vessels that were overladen*. The duke is said to have been himself the first who jumped ashore; and the writers of his life have, upon this occasion, adapted to him an incident we meet with in the life of Julius Cæsar†.

And here we may observe, that William could not have chosen a more suitable time for his expedition, inasmuch as there was nothing to oppose his descent. Harold, indeed, had fitted out a considerable fleet, computed at seven hundred sail, which cruised off the Isle of Wight, in order to oppose William's designs: but as the duke had delayed his enterprize so long, partly through the refusal of the states to concur with his proposals, and partly by reason of contrary winds, which had detained him at St. Pierre sur Dive (where his army and fleet had rendezvoused) near two months, the king was led to think that he had entirely declined it. This surmise was confirmed, according to some authors, even by earl Baldwin, who had been applied to for that information. However, Harold's armament was dispersed, and had quitted its station for want of provisions; and Harold himself had withdrawn all his forces from the sea-coast.

And now the duke having thus happily effected a landing, in order to deprive his men of all hopes of returning, or of safety but in victory, ordered his ships to be burnt, according to some authors; but other authors say that he sent them back to Normandy, which latter account appears the most

reasonable. He then marched on towards Hastings‡, where he ordered a fort to be built, and published a manifesto, containing the motives that induced him to undertake the enterprize.

He said, he came to revenge the death of prince Alfred, restore Rodbert archbishop of Canterbury, and assist the English in punishing Harold, who had seized the crown, to which he had no right, in direct violation of the oath he had sworn at the Norman court. But these reasons were treated as frivolous by every Englishman of good sense; for, in the first place, Alfred had fallen by Godwin, who had been tried and fined for the same: but although that punishment fell far short of the crime, yet Harold could not be involved in the guilt, as it did not appear that he had any hand in the murder. The second reason was no better than the first (though probably inserted in the manifesto on the pope's account, to serve as a cover for his partiality to the duke), for it was well known that prelate had been banished by the general assembly of the kingdom in Edward's reign, and consequently the present king could not be blamed for it: moreover, it was in itself a wise and justifiable measure, and such as was universally approved of by the English themselves. Thirdly, as to his offering to the English his assistance to bring Harold to condign punishment for having seized the crown without right, and in direct contravention to his oath, Harold had fully answered every thing that William could allege on that head.

All this while it may be observed, that the duke made not the least mention of any will of the deceased king Edward, or even any verbal promise made him by that prince, which might perhaps have wrought a favourable effect on the minds of the people, whom he designed to lure over or subject to his sway; whereas his silence on that head entirely overturned his third motive: nor could the English conceive what grounds a duke of Normandy had to enter the kingdom in this hostile manner; or what advantage could accrue to any one from siding with an invader of their country: so that very few Englishmen would enlist under his banner, notwithstanding that they were far from being contented with Harold's government, who, in several instances, had exerted an arbitrary power, the very name of which has its antipathy planted in the heart of every native of this island.

The provisions which the duke had brought with him being consumed, he gave strict orders that his men should not burn the country, nor plunder the inhabitants, alleging that it was hurting themselves, to destroy what would soon be their own. By this prudent and politic step he, in all probability, saved his army from destruction; for the inhabitants of the adjacent country, finding themselves treated thus mildly, endeavoured to secure the favour and protection of their new master, by supplying him with all those necessaries which

* We shall here set down a list of the most considerable of William's fleet, as it is found in our English historians; but without taking upon us to vouch for its accuracy. The whole is said by some to have consisted of near a thousand sail; of which, William, his sewer, the son of Osbern, supplied him with sixty ships; Hugh, his nephew, afterwards earl of Chester, with as many; Hugh de Montfort with sixty ships and sixty soldiers; Romus, the eleemosynary (almoner) of Toscan, afterwards bishop of Lincoln, with one ship and twenty men; Nicholas, the abbot of St. Odian, supplied him with fifteen ships and one hundred men; Robert, earl of Angus, with sixty

ships; Girald, the sewer, with as many; William, count of Durance, with eighty ships; Roger of Montgomery, with sixty; Roger de Beaumont, with sixty; Odo, bishop of Bayeux, with one hundred; Robert de Mortimer, with one hundred and twenty; William Gifford, with thirty vessels and an hundred men.

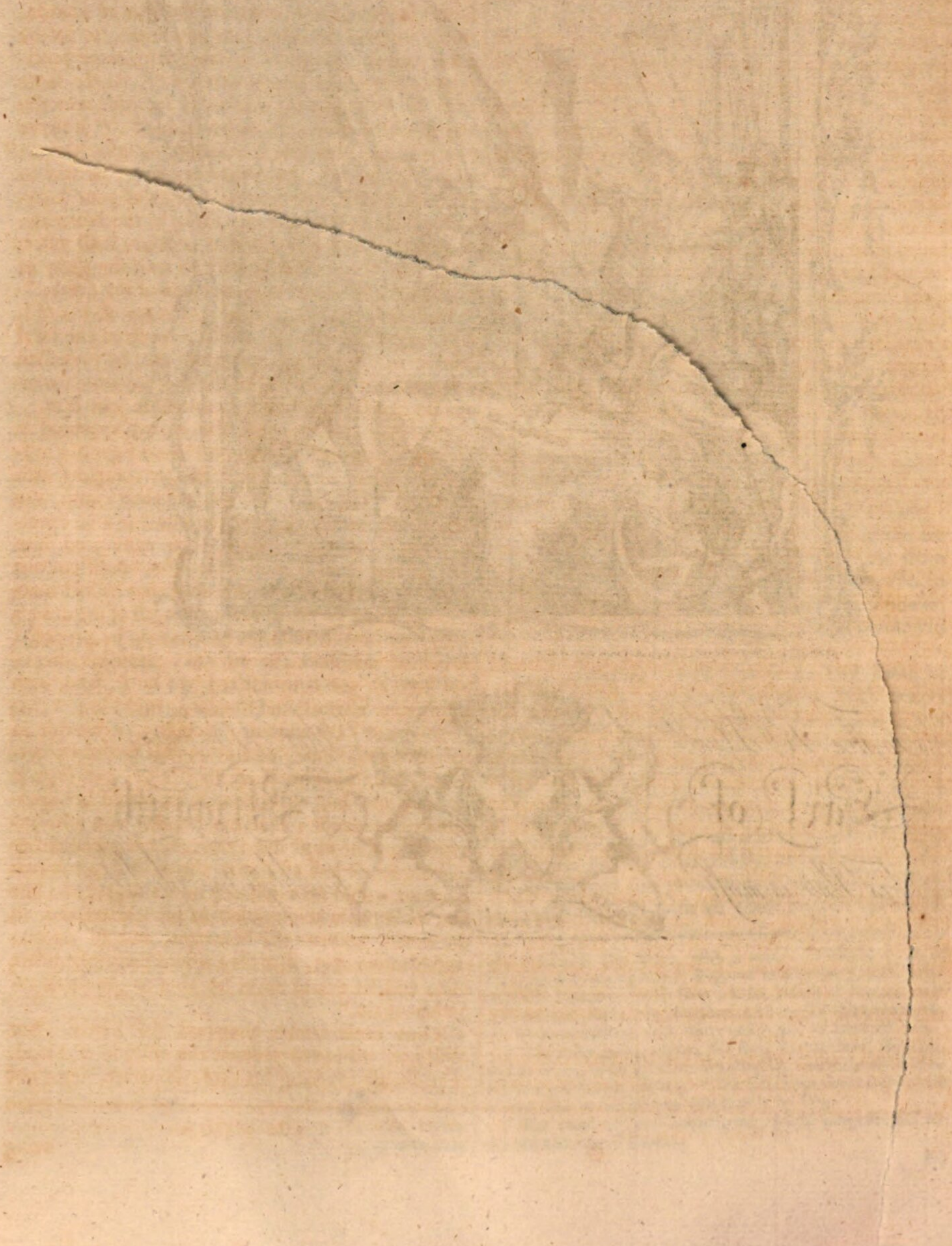
† The duke going ashore, his foot, by accident, slipping, he fell down, when a soldier, standing by, immediately turned it into a good omen, saying, "Sir, you have thus taken seizin of that land of which you will shortly be king."

‡ The chief of the Cinque-ports, whose burgesses still retain the old title of Barons.



To the R^t Hon^{ble}
Earl of
This Plate is most

 Other Hickman,
Lincoln,
humbly Inscribed.



he wanted, instead of retiring with their cattle and effects farther up the country, which would have been the inevitable consequence of a different behaviour in the invaders.

While William was thus employed in getting provisions for his men, we are told by our author*, that one Robert, a Norman baron, settled in those parts, sent the duke advice of Harold's victory over the king of Norway, and his return from the North to London, advising him, at the same time, not to venture a battle with such a numerous army of brave men as the usurper had to bring against him, but rather to entrench himself as strongly as possible in his camp at Hastings. William, however, either too judicious, or too intrepid, to follow such timorous advice, returned for answer, "that he was come into England to seek his enemy; that he put confidence in the valour of his troops, and did not doubt of success; and that he held it beneath the honour of a general, who had the swords of sixty thousand brave men unsheathed in his cause, to waste time in parlying†."

But to return to Harold: on the first news of the duke's landing, he made a general muster of his army, when he found too late the bad effects of that discontent which his seizure of the booty had occasioned in his affairs at this juncture; for the greatest part of those who had been disgusted thereby, had deserted him in their way to London; therefore, in order to prevent a more general defection, he behaved to such of his soldiers as continued with him with more than common generosity and kindness; and by sending to the nobility of the kingdom, representing the danger to which they, their country, and himself were exposed, he prevailed on them to send him very considerable recruits. During this interval, William sent ambassadors to Harold, demanding him to surrender the crown, which he had so perfidiously usurped. This message was delivered in such arrogant terms, that it awakened the most furious rage in the breast of the haughty Harold, who could with difficulty be restrained by those about him from falling upon the ambassadors, and putting them to death. However, he suffered himself to be persuaded, and sent them back to the duke, with a retorting answer that did not in the least yield in bitterness and contempt to the message he had received.

While these things were in agitation, Harold made every preparation that his great military knowledge could suggest, in order to resist his enemy, and drive him out of the kingdom: but, in the interim, he was prevailed on by the lords of his council, previous to trying the fate of a battle, to send a message to the duke, with the offer, if he would depart the land quietly, of a large sum of money to defray the charges of his expedition. This message was received by William with the contempt it deserved; and he sent back for reply, "that he was not come over for the sake of plunder or paltry coin, but to seize that kingdom which was his due, and which Harold, in violation of the most sacred oaths, had usurped; and that nothing less would satisfy him."

Harold, who, elated by his late success against the Norwegians, looked upon himself as invincible,

and did not question driving the Normans into the sea, immediately on receiving this answer from the duke, prepared to march against him, and to run the hazard of an engagement. Having, therefore, assembled all his forces, he advanced towards the Norman army, and encamped within seven miles of Hastings, where they were posted. While Harold was thus burning with eagerness to attack the duke, Gyrth, a younger brother to the king, who was a person of a cooler head, though no way inferior in wisdom and bravery, endeavoured all he could to dissuade him from this rash step: he represented to him, "that all his supplies were not yet come up; that the enemy was, therefore, much superior in number; that his army was fatigued with its march; and that it would be better to content himself with wasting the country and carrying off all the provisions it afforded, till the expected succours should join him from the North; that such a conduct would greatly distress the enemy, who, when they found that they could neither subsist in the country, nor force the issue of a battle, would be glad to come into any terms, to secure a safe retreat, and leave the land with more precipitation than they ever entered it." At the same time he besought his brother to let him take the command of the army upon himself: "Reserve yourself, said this able counsellor, to other times; while you are safe, the enemy can never be said to conquer, but on your person the fate of your kingdom depends. Leave me to fight the Norman; if, peradventure a favourable occasion shall offer, while you keep yourself ready to reap the glory of my success, or repair the misfortune of my defeat."

But such was the blinded obstinacy of Harold, that, rejecting this wise advice, he fixed the fatal resolve for fighting; nor could he be prevailed upon to wait the arrival of the forces, which were coming up from different counties to join him.

However contemptible the enemy appeared in Harold's imagination, he found himself greatly mistaken when he went the next day, in company with his brother Gyrth, to reconnoitre their camp, the disposition of which, and the number and excellent order of their troops, soon convinced him that he had to deal with a foe who would cut out sufficient work for him. Finding that he had been imposed upon in regard to the strength of the duke's army, on his return to his own camp, he proposed to retreat to London, in order to increase his forces; but here he was contradicted by Gyrth, who, with a generous warmth and freedom, told him, "that he ought to have abided in that city, agreeable to the advice of himself and others his faithful counsellors, till the arrival of his troops; but since it was now too late to repent, so it would be ignominious to recede; that his honour was now engaged, and he must stand the test, prepared either to conquer or lose all; that the least step towards a retreat would be construed into a flight, and lose him for ever in the opinion of his soldiers and all the world, animate the Normans, and so discourage his own men, that they would certainly desert him, and he would never be able to get them together again."

Thus both armies prepared for battle. But William, willing to prevent the effusion of blood, or probably thinking his cause desperate, from not

* Wace, p. 482, &c.

† Id. p. 484, &c.

being joined by the English in such numbers as he expected, sent a monk* to Harold, with four propositions: the first was, that Harold should relinquish the kingdom, upon certain conditions; the second, that he should hold it under homage to the duke; and the third, that they should refer the decision of their differences to the pope; the fourth, to determine their quarrel by single combat, and the kingdom to be the prize of the conqueror: all of which Harold refused†. Upon this the Norman barons grew very pressing with William to lead them against the enemy, before they could be reinforced by the expected troops; but he, notwithstanding the eagerness of his people to engage, resolved to try another expedient in order to give a greater sanction to his cause, and mask his ambition beneath a shew of reluctance and necessity. He accordingly advanced in person, with twenty followers, intending to offer Harold all the provinces of England north of the Humber, and to secure all Godwin's patrimony to Gyrth, on condition that the rest of the kingdom should be ceded to him; but in case of a refusal, to pronounce Harold a perjured liar, to declare all his adherents excommunicated by the pope, and to challenge them to a general engagement.

When it was told to Harold, that the duke was advancing to a personal conference with him, he, not chusing to subject himself to the reproaches which he might naturally expect for the breach of his oath and his other underhand dealings, sent his brother Gyrth to receive his proposals. Upon his return, that nobleman reported the whole of the duke's offers and threats, which made a great impression upon the nobles and others that composed Harold's council. Perjury and breach of promise sounded strange and ominous to English ears; and the menace of excommunication carried with it a force, only to be conceived by those who live under the terror of ecclesiastical rule, or are the dupes of bigotry and religious superstition. The assembly, therefore, unanimously advised Harold to come to an accommodation; but Gyrth, alarmed at, though uninfected with, the panic which had now diffused itself like a contagion from the council to the army, resolved to exert his utmost efforts to stop the spreading poison to their hopes, and with irresistible eloquence displayed to them the certain loss of honour, power, possessions, liberty, in a word, of every thing dear to a free-born Englishman, that would await so pusillanimous a resolution; expatiating on the miseries they had to expect under the rule of a conqueror, who had already devoted their persons and effects as a prey to those who assisted him in vanquishing them, and to whom they must, from the instant of such a capitulation, look upon themselves as slaves and bondmen. To these pathetic remonstrances he added the incentives of larger estates, as a reward for their fidelity and valour. This politic and well-timed harangue had such an effect on the minds of those within doors and without, that the assembly with one voice rejected the duke's proffered terms as infamous and disho-

nourable; and the army, to a man, declared their resolution to stand by their leaders to the last drop of their blood. In consequence of these resolves, the ensuing day, being the fourteenth of October, A. D. 1066, was by Harold appointed for a general engagement, which he imagined would prove fortunate to him, that being his birth-day.

The duke of Normandy, perceiving Harold was determined to give him battle, advanced a little way, and took post in a plain, where he could have room to draw up his army in battle-array. An adventure happened to him at this time, which gives us a remarkable instance of his generous disposition: we are told, that Fitz Osbern, one of his generals, and his favourite companion, being extremely wearied with the duty of the day, was just ready to sink under the weight of his armour, which the duke perceiving, took off his favourite's helmet with his own hand, and carried it on his shoulder into the camp. This and the like acts of condescension worked wonderfully in his favour with the soldiers: nor was his open deportment in other respects less serviceable to him in the minds of the English, especially the instance of his behaviour to two spies, whom Harold sent to discover the real strength of his army and the disposition of his camp, and who being taken within the precincts of the camp, might, agreeable to all the rules of war, have been instantly put to death; instead of which, William dismissed them with great politeness and humanity, having first ordered one of his officers to shew them all over his lines, with a desire that they would make a faithful report to their king of the situation in which they found things for the ensuing contest.

The night preceding the battle was spent in a very different manner by the two armies. Harold, flushed with his former success, and presuming not a little on the dispositions which William had lately shewn for peace, and depending on the experienced courage of his troops, vauntingly declared, that the man who entertained a doubt of victory was a coward in his heart. The example of their king and leader filled the minds of the English with the like presumptuous confidence of success, and they spent the evening in a Bacchanalian mirth and festivity, that seemed rather the prelude to a triumph, than the preparation for a bloody and doubtful field, on whose success every thing dear to the lovers of liberty depended.

Not so passed the hours away in the Norman camp: a sober silence deepened the gloom of night; solemn reflection took possession of each breast; they behaved like men prepared to meet the worst, or hail the most fortunate event: a well-timed devotion inspired that resolute courage which riot and debauch serves only to enervate, by dissipating the spirits, whose support is wanting in the time of trial.

And now the day arose which was to decide the fate of England. Harold‡, far inferior in the number of his forces, resolved not to lose his advantage in the ground, and drew up his men

* Named Hugh Margot.

† To these propositions Harold replied, that he was not so simple as to submit to the arbitration of the pope, who had already declared himself a party; that he scorned to hold the crown of England dependent on any prince whatever; nor would he put his kingdom on the issue of a single combat, in which, though he should obtain the victory, he could reap no

solid advantage; and that therefore he would leave the decision of his cause to God alone. *Smollett.*

‡ The following account of the battle between the English and Normans is taken from Wace's MS. History, and the Life of William by J. H. (or John Hayward) who wrote in the reign of James I. and is to be found in the second volume of the *Harl. Miscell.*

in a column on the brow of a hill, with a ditch and a line of hurdles before them. The Kentish men, armed with halberts, pikes, and targets, formed the van, a post of honour, which they claimed as their right by ancient usage ever since the time of the Saxon Heptarchy; and the care of defending the king's person and the royal standard was, by like prescription, consigned to the Londoners, whom Harold particularly cautioned to keep close together, telling them that breaking their ranks would be attended with inevitable discomfiture. These latter formed the main body, and the remaining ranks were indiscriminately filled up with the other English. Harold and his brothers Gyrth and Leofwine placed themselves in the centre, that the men might be witnesses of their valour, and disdaining an indulgence that was not shared by the meanest soldier, they fought on foot. The whole together formed a well compacted phalanx, whose close cemented ranks seemed indissoluble by any force that could assail them.

William, mounting on horseback, encouraged his men with a voice that seemed to breathe victory; he appealed to heaven for the justness of his cause: he then hung round his neck, as witnesses of his rival's perjury, the relics on which Harold had sworn, and ordered the consecrated banner sent him by the pope to be unfurled in the front of his army. These things, which would be laughed to scorn in the present enlightened times, had a wonderful effect in those days of dark ignorance and blind superstition. The Normans thought they marched under the immediate protection of heaven. They advanced in three bodies; the first, composed of the troops of Bretagne, Anjou, le Maine, and Perche, led by Fitz Osberne and Roger de Montgomery; the second, of Poictevins and Germans, under the command of Charles Martel* and a German general; the duke himself led up the last division, consisting of his own Normans and the flower of his nobility; and among all the three divisions were interspersed flying bodies of archers, to serve as opportunity should offer†.

The Normans, marching with the pope's banner at their head, to begin the attack on three sides at once, Taillefer, a gallant old soldier, advanced before the rest, and sung, according to custom, the famous song of Roland and the heroes who fell at Ronçeval, to rouse the valour of his countrymen. To animate them still more by his example, he obtained the duke's permission to strike the first blow in the battle, upon which he rushed on to begin the charge, running a standard-bearer through with his lance, and killing another with his sword, but before he could dispatch a third he was slain himself. The air was now darkened by a cloud of arrows, discharged from the bows of the Norman archers‡, which terrified the English, unused to those missiles; and seeing their men fall on all sides, they thought the centre of their army had been broken through, which for a while occasioned such a confusion and dismay as was easily perceived by the Normans, who, resolving to follow their advantage, charged with redoubled impetuosity;

but the English having recovered from their first astonishment, and forming a penthouse with their targets over their heads, closed their ranks, and presented such an impenetrable body to their enemy as obliged them to retire, and, being thus reunited, did amazing execution upon them with their javelins, inasmuch that the Bretons, in the enemy's left wing, giving way, were pushed into some covered ditches, which they had not observed as they marched up to the attack. The other corps being struck with a panic, on a false report that the duke was slain, were preparing for flight, when he coming up in lucky time, shewed them their mistake, rallied them, and led them again to the fight.

The English, vain of this trifling advantage, had, contrary to Harold's express command, quitted their post on the hill to pursue the broken column into the plain, which as soon as William perceived, he, with a happy readiness, brought up a body of Norman cavalry from his right wing, and cut off the retreat of three thousand of the most advanced of the pursuers, consisting of the Kentish and Essex men, all of whom he put to the sword: he then renewed the general attack against the main body of the English, by whom he was received with the same firmness and intrepidity as before. He was repulsed on all sides, and wherever he strove to make an impression, the loss reverted upon himself. Thus circumstanced, he despaired of prevailing by open force. Thrice had he led up the charge, and each time the horse on which he rode was killed; he flew from rank to rank, from squadron to squadron, animating by his words, and encouraging by his example, both the brave and the irresolute; sometimes rushing on with a torrent of death in his rear, sometimes opposing his single authority to a crowd of runaways. Harold, with equal spirit, with equal valour, but with superior success, opposed him: the eyes of his faithful English were fixed on him; by his uplifted sword they dealt the blow, and mowed down the remaining ranks which his javelin had thinned: no man felt fatigue, no man thought of recess, while their king seemed lost to every sense but that of a thirst for glory, and to have nothing in pursuit but conquest or death.

And now victory appeared on the point of passing over to the side of the English; the drooping Normans staggered under their resistless shock, when William's genius found means to fix the wavering fortune of the day, by one of those stratagems in war which, from their frequency, are the less suspected or guarded against; he sounded a retreat; the knell of English liberty! for so it proved. Harold's brave soldiers, thinking that nothing now remained but to glean the deathful harvest, for which they had so painfully laboured, were ruined by a rash security; deaf to all order, impetuous and ungovernable, they pursue the wily fugitives into the plain with as little caution as before; and they, who, when united, were invincible, when thus dissipated became an easy prey to those of whom they thought they had the mastery. For

* So Wace and J. Hayward call him. Camden and others name him Jeffery.

† Our ancient historians inform us, that the morning of the battle, the duke's esquire, by mistake, put on his armour with the breast-plate behind instead of before. William averted the omen by a well-timed jest: "Thus (said he) shall my duke-

dom be turned into a kingdom ere night."

‡ Here we are told by some of our historians, that duke William ordered his Normans not to shoot their arrows directly forward, but upward, so that, forming a curve, they might fall upon the heads of the English and stick in their brains.

the Normans rallying upon a signal given, closed their ranks, faced about, and, surrounding their pursuers with their cavalry, cut numbers of them in pieces, and the rest, with great difficulty regained the hill, where they still maintained their ground in spite of the utmost efforts of the enemy to dislodge them or break their ranks.

The Normans finding all their attacks were fruitless, had recourse to their former stratagem, and, amazing to be told! it met with the same success; the English, never to be taught by experience when their fighting humour is indulged, forgot the check they had so lately met with, and followed the enemy a third time into the plain, where they were again trodden down by the Norman horse, and strewed the field with their dead bodies. Weakened as they were with these repeated losses, they still kept their ground on the hill, unshaken for some time, and, in all probability, might have recovered their strength and spirits, and have finally repulsed their fierce assailants, had not an arrow, shot from the bow of the evil genius of England, laid their monarch breathless on the ground, whose dying groan was the departing sigh of English liberty. William and slavery triumphed. Gyrth and Leofwine, the gallant brothers of Harold, still survived, and still animated their countrymen to stand their ground; the amazed English thronged instinctively round the standard of their deceased prince; but the Normans pouring upon them in redoubled numbers, carried their point: Gyrth and Leofwine fell in each others arms; Harold's standard was pulled down*, and the duke's erected in its stead; upon which the English retired from all parts of the hill, and were hotly pursued by the enemy, even after the close of day.

The darkness, however, which favoured their retreat, had well nigh proved fatal to the Normans, by wresting the victory out of their hands; for in the eagerness of their pursuit, and not being so well acquainted with the country as the English, they fell into morasses and deep ditches, and lost a great number both of horse and foot. The fugitives, reanimated by this accident that had befallen the

foe, turned upon their pursuers, and made a dreadful slaughter amongst them, Engenouf, baron de l'Aigle, falling among the rest; and, indeed, so hot was the action, that Eustace, count of Boulogne, persuaded William to sound a retreat for that night, and not to trust to the chance of darkness, a victory that would be insured to him by the returning day; while he was whispering this counsel in William's ear, he received a blow between his shoulders, which for a while bereft him of speech. The duke, however, resolving not to leave his victory imperfect, still continued the fight: the battle seemed now to be renewed, the Normans redoubling their efforts, but still the English maintained their ground. At length, William, pretending to be touched with the fate of those whom he now looked upon rather as his subjects than his enemies, but in reality being fearful of experiencing one of those sudden reverses of fortune, which are so frequent in battle, ordered a truce to the combat, and offered liberty for that body of English to retire: this was accepted; they drew off, through the marshy defiles before-mentioned, and night being now pretty far advanced, William saw himself left in full possession of the field of battle and of the crown of England.

Such was the issue of this long and bloody engagement, which decided the fate of England, and by which the Normans are said to have lost six thousand men; and if so, the loss on the side of the English must have been considerably greater. William having thus attained the accomplishment of his desires, ordered his whole army to kneel, and return thanks to him who is the giver of all victory: he then commanded a tent to be pitched for himself in the midst of the slain, and there he passed the remainder of the night†.

The next morning was taken up with burying the dead: the corpse of Harold falling amongst the undistinguished carnage, was so miserably deformed that it could not be discovered after the most diligent search, till at length a lady being sent for, who had formerly been mistress to the deceased monarch, she recognized his body by a certain pri-

* This standard had on it the picture of a man fighting; and being enriched with gold and precious stones to a great amount, was sent by William, after his victory, as a present to the pope. It is said, that twenty young Normans had bound themselves by a fearful oath to take this standard, or die in the attempt; and though most of them perished in this desperate enterprise, yet those who remained alive carried it off.

† As the battle of Hastings, by which the Normans conquered England, was certainly won by the help of the broad-arrow and long-bow, so it was by the same weapons that the English afterwards conquered France; I shall, therefore here give the reader an excellent and curious comparison between this weapon and our fire-arms, as I find it in the Life of William, by J. H. "One circumstance more I hold fit to be observed, that this victory was gotten only by the means of the blow of an arrow, the use whereof was brought into this land afterwards. The English being trained to that fight, did thereby chiefly maintain themselves with honourable advantage against all nations with whom they did contend in arms, being generally reputed the best shot in the world. But of late years it hath been altogether laid aside, and instead thereof the harquebuz and calliver are brought into use; yet not without contradiction of many expert men of arms, who, albeit they do not reject the use of the small pieces, yet do they prefer the bow before them: first, for that, in a reasonable distance, it is of greater both certainty and force: secondly, for that it discharges faster: thirdly, for that more men may discharge therewith at once; for only the first rank discharge the piece, neither hurt they any but those that are in front, but with the bow ten or twelve ranks may discharge together, and will an-

noy so many ranks of the enemy: lastly, for that the arrow doth strike more parts of the body, for in that it turneth by descent, and not only point-blank like the bullet, there is no part of the body but it may strike, from the crown of the head to the nailing of the foot to the ground; hereupon it followeth, that the arrows falling so thick as hail upon the bodies of men, as less fearful of their flesh, so more slenderly armed than in former times, must necessarily work more dangerous effects. Besides these general respects, in many particular services and times the use of the bow is of great advantage; if some defence lie before the enemy, the arrow may strike where the bullet cannot; foul weather may much hinder the discharge of the piece, but it is of no great impediment to the discharge of the bow: a horse struck with a bullet, if the wound be not mortal, may perform good service; but if an arrow be fastened in his flesh, the continual stirring thereof, occasioned by the motion of himself, will force him to cast off all command, and either bear down or disorder those that are near. But the crack of the piece, some men say, doth strike a terror in the enemy; true; if they be such as never heard the like noise before, but a little use will extinguish those terrors; to men, yea to beasts, acquainted with these cracks, they work a weak impression of fear; and if it be true, which all men of action do hold, that the eye in all battles is first overcome, then against men equally accustomed to both, the sight of the arrow is more available to victory than the crack of the piece: assuredly the duke, before the battle, encouraged his men, for that they should deal with enemies who had no shot. But I will leave this point to be determined by more discerning judgments." See *Harl. Miscell.* vol. ii.

vate mark, known only to herself. A Norman foldier, who was present at the discovery, in a fit of unmanly exultation, ran his spear into the thigh of the lifeless king; which action being told to the duke, he instantly ordered the base wretch to receive the punishment due to so dastardly a deed, and dismissed him from his service. He afterwards sent the bodies of the king and his brothers to their mother Githa, who gave them as honourable a burial as the present circumstances would permit, in Waltham abbey, which had been founded by Harold himself*.

Thus died Harold, says Dr. Smollett (who has drawn the character of this king with great elegance and candour) in the defence of English liberty, against the usurpation of foreign power; and, if we except the injury he did to Edgar Atheling in excluding that prince from the throne of his fathers, he seems to have been in all respects well qualified to wield the sceptre with reputation to himself and happiness to his subjects; for he was humane, intelligent, and his generosity was in most instances equal to his courage. His memory, indeed has been blackened by the Norman writers, at the same time that they have exhausted themselves in encomiums upon the Conqueror. But need the unprejudiced English reader be told that this was the natural consequence of the decision of fortune? Had the day been Harold's, how would those very authors, who are so lavish in the praise of William, have represented his enterprize? he would then have been painted in his true colours, and instead of the generous and justly incensed prince who came to assert his lawful right and punish a perjured usurper, we should have found him a base invader, who, regardless of the rights and liberties of a free people, and trusting only to the power of his own arm, and the assistance of a set of desperadoes, trampled on the laws, the privileges, and the birthrights of the English, while Harold sacrificed his life in defending them from the usurpation of foreigners. Upon the whole, then, to set the characters of both these heroes in a proper

contrast, William was the successful Conqueror, Harold the unfortunate Defender of England.

It remains now that we should give some account of Harold's family. He had two wives; the first he buried long before he was king, but none of our writers mention her name; his second was Elgitha, widow of Griffith ap Llhwellyn, prince of North Wales, sister of Edwin and Morcar, earls of Mercia and Northumberland. We are told, that by the former of these wives he had children, who were of such an age at his death that they waged war against the Conqueror in the second year of his reign. The first was Godwin, who, with his brother Edmund, after his father's death and overthrow, fled into Ireland; but returning again into Somersetshire, slew Ednoth, one of his father's generals, who encountered him; and, after having made great depredations in Devonshire and Cornwall, set sail again for Ireland. The next year he made another descent upon Cornwall, where he had a battle with Beorn, a nobleman of that county, in which he got the better: from thence he went back to Ireland, and afterwards went to Denmark, to king Sweyn, where he continued the residue of his days.

The second was Edmund, who joined with his brother in all his aforesaid invasions and wars, depending absolutely on him while he lived, and died, like him, in Denmark.

Magnus, the third son of Harold, went with his two brothers into Ireland, and came back with them the first time to England; after which we hear nothing of him.

By his second wife, Elgitha, he had a son named Ulpho, or Wulf, who was but a child at the time of the battle of Hastings, and was afterwards knighted by William Rufus.

He had also two daughters: Gunilda, the eldest, falling blind, passed her days in a nunnery.

Another daughter of Harold's is mentioned by Saxo Grammaticus, in his Danish History, to have been married to Waldemar, king of Russia, by whom she had a daughter, who was wife to Waldemar, king of Denmark †.

* The corpse was put into a coffin, and being solemnly attended by the Norman barons to Battle-bridge, was there met by the English nobility, who conveyed it to Waltham, where it was deposited. But notwithstanding Harold was thus publicly interred, Knyghton asserts, from Giraldus Cambrensis, that he was not slain in the battle, but retired privately, with the loss of his eye, which was wounded by the arrow, and lived like an anchorite several years afterwards in a cell, near St. John's church, at Chester. This odd story he pretends to support by adding, that the fact was discovered by Harold himself to his confessor, just before he died; and that it was a cir-

cumstance universally believed by the inhabitants of those parts, who shewed the tomb wherein he lay interred, even at the time in which he wrote. Tyrrel judiciously obviates the difficulties which might be started from Knyghton's allegation, by granting the tomb might have been made for a person who assumed the name of Harold; and, in process of time might have been believed to be that of the real monarch. *Tyrrel's Hist.* vol. i. p. 114.

† Tyrrel says (from Speed) she was mother to Waldemar, the first king of Denmark of that name; from whom the Danish kings for many ages after succeeded.

T H E
I N T E R R E G N U M,

Between the Battle of Hastings, gained on the fourteenth of October, A. D. 1066, and the Crowning of WILLIAM the BASTARD King of England, on the Christmas-day following; containing the Transactions of about Two Months.

AS it is absolutely necessary that the reader should be let into the history of that great and fortunate prince, William duke of Normandy, preceding the event of his conquering England and obtaining that crown, the author of these sheets thinks he cannot chuse a more proper place to introduce these circumstances, than after the short, active, and important reign of his predecessor on the English throne, and by way of relief from the various scenes of bloodshed and commotions which have taken up our attention in the foregoing pages.

That William was a bastard is generally and, I think, justly agreed upon*. But we are assured by Malmesbury, and others, that though William was born out of wedlock, that his mother was afterwards married to duke Robert, which, by the laws of Normandy, in that point agreeable to the civil and canon laws, was sufficient to make the issue inheritable although born preceding the performance of the marriage rite: besides, it was a general custom at that time in France, for bastards to succeed to the inheritance, and even to the highest dignities, enjoyed by their fathers, jointly with, and in the same manner as, children lawfully begotten. Thus Thierry, the bastard son of Clovis, shared with the lawful children of the said Clovis, in the division made of his estates after his death, and had for his lot the province of Austrasia, now called Lorraine. Sigebert, bastard of Dagobert I. had his part in the kingdom of France with Clovis XII. the lawful son of king Dagobert. Lewis and Charlemagne, the illegitimate issue of Lewis le Begue, or the Stammerer, succeeded after the death of their father. In like manner we find it in England, where Alfred, the bastard son of Oswy, succeeded his brother Egfrid in the kingdom of Northumberland: so Athelstan, the natural son of Edward the Elder, succeeded his father, before Edmund and Eldred his younger brothers, notwithstanding they were lawfully begotten: and Edward surnamed the Martyr, bastard † to king Edgar, succeeded him in the throne before Ethelred his lawful issue: lastly, Harold, surnamed Harefoot, bastard to Canute, succeeded him in the kingdom before Hardicnute his lawful son. The like custom has been observed in Spain, Portugal, and divers other countries;

and it is probable that this usage was grounded on experience, that those begotten in the full heat and vigour of nature and affection, have in general been remarkable for the most excellent endowments both of mind and body. History abounds with instances of this nature; nor can we read the lives of Hercules, Alexander the Great, Romulus, Timotheus, Brutus, Themistocles, Arthur, and, let us add likewise, of the Conqueror; of Homer, Demosthenes, Bion, Bartholus, Peter Lombard, John Andreas, and many other great men in arms and literature, without being convinced of the truth of this observation. Nevertheless, a law was made by the third race of the French kings, that bastards should not inherit the crown of the realm. This custom was likewise banished out of England, and other countries of Europe; although in France the bastards of great houses were still allowed to inherit. Thus much we have thought needful to premise, in order to remove any unreasonable prejudice that might be taken against William, on account of his illegitimacy.

From his earliest infancy he delighted in such exercises only as were ingenious and manly, and tended to dexterity and valour. He was of an active and fiery disposition; rather ambitious than fond of glory; of a piercing wit, lively discernment, and admirable presence of mind. His courage proceeded not from ignorance or rashness, but was founded on mature judgment and sound reflection. In peace he was politic, in war valiant, and alike ready at spying an advantage, and turning it to his own use. He was accustomed from his very childhood to the use and weight of armour. Without despising or fearing death, he faced it in many well-fought fields; and his whole life was one continued scene of warfare, either in defence of himself, or when led by ambition to attack others. The first years of his reign were much disturbed with plots and conspiracies among his Normans, who often conspired against his life, dignity, and state, traducing him as a boy, a bastard, born of a base and ignoble mother, and unworthy to reign over them. Of these, some he appeased and reconciled to him; others he prevented in their designs, or crushed their power before it could be collected; others he encountered and vanquished

* He was the son of Robert II. duke of Normandy; some say by a concubine named Harlotta; but, according to Carte and Tyrrel, his mother's name was Harleva. She was daughter of Foubert, the duke's valet de chambre and son of a furrier of Falaise. It is said, that the first night the duke took her to his bed, she dreamed that her bowels extended over all

Normandy and England. This dream was very naturally interpreted in the sequel, if it was not invented after the successes of William.

† Though the present age appears to be well satisfied with regard to the legitimacy of this prince, yet there was, at the time of his succeeding, great debates upon that head.

in the open field ere yet the down of puberty appeared on his face.

William's first encounter, according to John Hayward, the excellent writer of his Life, in the reign of James I. was with Roger Frefney, who, from an old claim, demanded the duchy of Normandy, but was by William overthrown in battle. His next was against William, earl of Argues, his uncle: this nobleman was supported in his pretensions on Normandy by the power of France; but William surprized him and the French king his ally so opportunely, that he had well nigh cut them both off; and, after routing their combined forces, he accepted, or rather gave them, an honourable peace. Not long after, the French king making war on Geoffrey Martel, earl of Anjou, William went to the assistance of the former with a chosen body of forces, and so well acquitted himself both in the cabinet and field, that the French king was wholly guided by him in all his operations: and such was his great skill in the military art, that Geoffrey Martel, who was the most experienced foldier of his age, made no scruple to declare that young William was like to prove the best commander in the world. It was the characteristic of William to be remarkably kind to those who submitted to his authority, and to carry his resentment even to a degree of cruelty against such who obstinately resisted: of this disposition he gave a remarkable instance at the siege of Alençon, when the defendants would frequently call out to him from the walls, "*La pel ! la pel !*" alluding to the story of his birth; which ill-timed jest so incensed William, that, having made himself master of the place, he, with an unparalleled barbarity, ordered the hands and feet of all whom he found in arms, to be cut off.

The following well-attested story may serve as a proof of his great intrepidity and presence of mind in time of danger: having once fallen into an ambuscade which had been laid for him by Geoffrey Martel, and an universal panic prevailing among his soldiers, who were on the point of abandoning him, though not till after numbers of them had been slain, the duke, in a transport of rage, cried out unto them, "*If ye love me not, soldiers, for shame follow me ! for shame, stand by me ! for shame, let not any of your friends hear the report, that you ran from your general and your prince, and left him fighting alone !*" So saying, he threw himself into the thickest throng of the enemy, denouncing those traitors and cowards who would not follow. His soldiers, inspired with fresh ardour by the words and example of their valiant leader, rallied and returned to the charge with such resolution, that they soon turned the scale of victory to their own side: the duke, fighting more like a demon than a man, clove down all who opposed him, till he reached count Martel himself, whom he, with one blow of his faulchion, unhorsed, threw to the ground, and striking off his helmet cut off one of his ears. Many more proofs did he give of his superior valour and military knowledge, which to enumerate would swell our page to an unreasonable length: suffice to it say, that all the time he was only duke of Normandy, he was never free from some martial atchievement, and that all his enterprizes were attended with a most unparalleled and con-

stant series of success, till at length his manifold and painful labours were amply rewarded with the possession of the crown of England, to the final attainment of which we shall now proceed to accompany him.

The victory of Hastings, complete as it was, may be said to have opened rather than terminated William's prospect of success; there were many, and those not inconsiderable difficulties to be surmounted before that enterprising warrior could fully attain the end of his indefatigable labours, I mean the succession to the crown of England. There were at this time three powerful factions in England, each of whom entertained very different views, the Anglo-Saxon, the Danish, and the Norman. The former consisted of all the patriotic English, who earnestly wished to see the calamities of their country terminated by restoring the race of Cerdic to the throne, of which it had been dispossessed, even though at the expence of a further effusion of blood. The Danish cabal was headed by all the old families of that nation, who had been long settled, and had great possessions in England; these were for recalling the line of Canute the Great, and were a formidable party, having received a solemn promise from Sweyn king of Denmark, who claimed in right of Canute, that he would openly assert his title to the crown, and support it and his friends by a powerful fleet and army. The third party was that of the Normans, who, though far inferior to either of the other two in interest or connections, was now become powerful, in consequence of the late victory; and those of their countrymen who had settled in England during the reigns of Ethelred II. and Edward the Confessor, had rendered themselves respectable to the people on account of the high posts they held under a prince whose memory was still dear to the nation, and the dignity of their own persons, heightened by their superior knowledge in the social and civil arts.

William, who was perhaps the deepest politician as well as the greatest warrior of the age, had the address to let these storms, which seemed to threaten the bark of his expectations, spend their fury on each other, sensible that while such factions as those we have already mentioned subsisted in the state, he had nothing to fear from unanimity in the public councils, nor consequently from any sudden and vigorous resolution in the English to defeat his designs on the succession. He therefore expressed no kind of uneasiness when he heard that Edwin and Morcar, the two powerful earls of Mercia and Northumberland, had retired, with a part of the army that had escaped the slaughter of Hastings, to London, where they had summoned a meeting of the English states. However, not to omit any thing that could make for his security against an unforeseen accident, and apprehensive that if he should march immediately to London, the factions, which now promoted his designs, might unite from the prospect of present danger, and prove too powerful for him, he therefore resolved to make himself master of some fortress on the sea-shore, to secure a retreat in case of necessity, and a port from whence he might send for supplies from his own country.

With this view, after remaining a few days at Hastings to refresh his army, he left a garrison behind him there, and advanced against Dover, a place so

* That is as much as to say, *Hare skins ! hare skins !*

fortified both by art and nature, that it might have withstood for a long time all the efforts of the Conqueror; but the fame of his victory, and some seasonable severities which the Normans had lately exercised*, struck such a terror into the hearts of the garrison, that they threw open their gates almost as soon as he appeared in sight, or at least submitted after a very short capitulation†. As soon as the duke was in possession, he ordered the town, which Matthew Paris justly styles the lock and key of the kingdom, to be more strongly fortified, and spent eight days there. Change of climate at that season of the year, with alteration of diet, and the amazing fatigues they had undergone, occasioned several distempers amongst his soldiers. This accident, which would have damped the courage of a less intrepid general, served only to convince William that no time was to be lost, and that it behoved him to follow his late victory with unremitting ardour, while his remaining troops were yet in a condition to aid the vast designs of their leader: therefore, leaving his sick in hospitals at Dover, he set out for London, at the head of a small but trusty army, in which every man was well affected to the cause of his general, and all determined to contribute to his success, or share in his defeat. However, his march was retarded for some time by his falling ill himself of the same disorder which had prevailed among his men‡. Let us now return to London, and take a view of the situation of affairs in that capital of the kingdom.

It is easy to conceive what a consternation the whole nation was in, after the loss of the battle of Hastings, and the death of their king: this general confusion was every moment increased by the diversity of opinions of which we have already spoken. Had one spark of the spirit which animated the blood of Cerdic, exerted itself in Edgar Atheling, England, notwithstanding its late defeat, might still have made a vigorous, perhaps a successful, struggle; but that prince was too young, and, besides, of too little soul to give any hopes of assistance to his party in these times of pressing necessity. It is true, the earls Edwin and Morcar were still living, and at that time in London, with a part of the fugitive army; but their authority was not sufficient to execute such measures as were necessary for the preservation of the commonwealth. They had, indeed, assembled in London almost all the remaining nobility of the kingdom, to deliberate upon measures to be taken

in the present emergency, both for settling the government of the nation, and raising an army to oppose the Normans. They proposed, that Edgar should be placed on the throne, in which they were warmly supported by archbishop Stigand and the Londoners, whose weight was very great even in those early times, on account of their great wealth, prowess, and numbers; but the major part of the clergy favoured the designs of the Conqueror, whose great successes, and his being countenanced by the pope, made them believe they should find in him a more powerful protector than they could expect under so young and weakly supported a prince as Edgar: they could not, however, so far prevail, but that the unanimous voice of the citizens was hearkened to; Edgar was accordingly proclaimed king of England, with the general consent of the nobility, and orders were issued for levying a new army to support his title||. But, by the dissensions and cabals that prevailed among the great men, this salutary measure was rendered in a manner ineffectual.

William being recovered from his disorder continued his march towards London, after having received the submission of the Kentish men, who gave him hostages for the assurance of their fidelity; in which they were followed by the inhabitants of Canterbury. But, apprehensive that he might not meet with the same disposition in the inhabitants of the other counties through which he was to pass, he caused his army to march in three divisions, by three different routes§, with orders to his men, if they should meet with any resistance, to destroy the country with fire and sword: an order which was made a pretext to commit the most dreadful outrages on the slightest pretences. The duke's view in this severe command was evidently to intimidate the English from any attempts to oppose him in his progress: however, this conduct seems not to be entirely of a piece with that policy he in general appears to have observed, by cautiously avoiding any step which might animate the English to resentment; a particular instance of which we have recorded of him, even while on this very march.

Being stopped in his way by some trees, which Fretherig, abbot of St. Alban's, had caused to be felled, and placed in the road, he ordered him to appear before him, with a promise that he should have no harm offered him, if he complied. On the abbot's coming into his presence, the duke de-

* At Rumney, which place William, in his way to Dover, had sacked, in revenge for the ill treatment that the crew of one of his ships, separated from the rest, had received from the inhabitants.

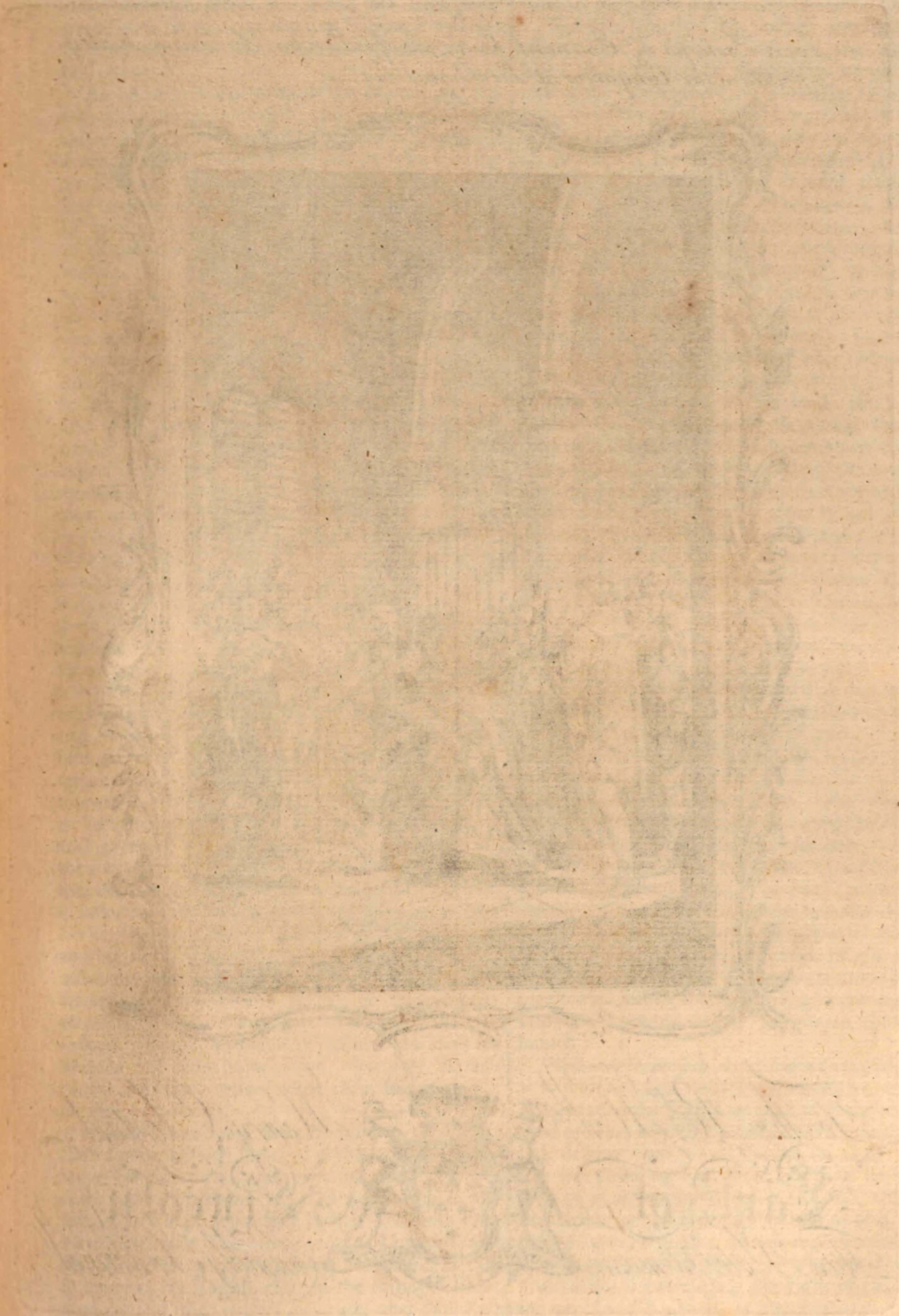
† We are told by Gulielmus Pictavenfis, that while this treaty was carrying on, the Normans had, by shooting fire-arrows into the town, burnt several of the houses; which circumstance William politicly turned to his own advantage, by making good the damages that the inhabitants had sustained by the imprudence of his men; which gave the English an high opinion of his lenity, and made them believe that he would treat them more like subjects than a conquered people.

‡ The dysentery or bloody flux. It is here that we are to place that famous story of the Kentish men meeting William with each a branch or bough in his hand, and obliging him to grant them several exclusive privileges, and in particular that of gavel-kind (by which all the sons succeed equally to their father's estate): but this story contradicts itself, as it mentions that they marched with green boughs in their hands, in the beginning of November; besides, so tame an acquiescence is inconsistent with the known character of William, who was as remarkable for his severity to the obstinate, as for his

lenity to the submissive. Add to this, that the story was originally taken from the MS. History of the Monks of St. Augustine's, Canterbury, written by Thomas Spot, who, in all probability, invented it to magnify the valour of their abbot and of the Kentish men. But as neither Somner, in his Treatise of Gavel-kind, and especially Gulielmus Pictavenfis, who accompanied the duke in his march, make mention of this fact, we may fairly refuse our credit to it. Nor does the well known courage of the English stand in need of being supported by idle tales or monkish legends: while they had a leader to direct their operations, they fought like brave soldiers; when left to themselves, and no longer able to resist, they submitted like wise men.

|| The only instance we have of the exertion of this prince's sovereignty, was his giving his assent to the election of Brand, in the room of Leofric, abbot of Peterborough (nephew to Leofric the great earl of Mercia) who died at this juncture. Sax. Chron. 1066.

§ The march of those columns was through the counties of Sussex, Kent, Hampshire, Surry, Middlesex, Hertfordshire, and Berkshire.



*Some Bishops & Eminent Citizens of London Swearing Fealty
to William the Conqueror at Berkhamstead.*



*To the R^t Hon^{ble} Henry Clinton
Earl of Lincoln
This Plate is most
Humbly Inscribed.*



manded of him, how he dared attempt to impede his march, after the rigorous order which he knew to have been given? "In this (replied the royal abbot, with a noble firmness) I have done no more than my birth* and duty exacted of me; and had others of my rank, O duke, acted in a manner alike becoming them, you would not have penetrated thus far into our country." Struck with the boldness of this answer, William dismissed the abbot unhurt.

As he approached towards the capital, the terrors of the people increased; and the clergy thought this a good opportunity to exert their talents of insinuation to dissuade the Londoners from making a resistance, which, they said, would answer no end but to incense the Conqueror, and push him to acts of tyranny and revenge, which might prove fatal to all the inhabitants; whereas, by a timely submission, they might conciliate his affections, secure his protection, and blunt the edge of the uplifted sword of power. By these and the like arguments, concurring with the near approaching danger, the citizens of London, who, as they had more to lose, had also more to fear, than any other subjects in England, suffered their former ardour to abate; and from having so lately resolved to brave the utmost malice of their adverse fortune, they now expressed an earnest desire of coming to an accommodation. The two brothers Morcar and Edwin, more accustomed to the perils of the field, and having had more frequent opportunities of observing the amazing vicissitudes of war, than the home-bred peaceful burghers, resolved not to give up their all without venturing one last effort in the defence of their liberties and properties. With this view they animated those of their own party to engage in the hazard with them, and, watching a favourable opportunity, sallied out from London upon the duke, who was now arrived in the neighbourhood of that city, at the head of his first division, hoping to find him fatigued with his march, and to fall upon him unprepared; but they had to do with a general too well practised in the art of war to suffer himself to be so surprized: William was upon his guard, and gave the assailants so warm a reception, that they were glad to retire with all haste. Their unsuccessful return added fresh alarms to the dispirited Londoners; the friends of Edgar shrunk back from his cause, and thought only how to avert the gathering storm from their own heads. The clergy, assiduous abettors of William and his enterprize, turned this accident in favour of their former counsels, which now began to be generally embraced. In this situation of affairs the earls of Mercia and Northumberland, deeming Edgar's cause desperate, retired with their forces to the northern provinces.

It is far from being clear by history, what part these two noblemen took, after the battle of Hastings, in the public distresses of their country. Some authors pretend that they were warm in the interest of the young prince Edgar, and with that view had drawn their forces towards London; and that it was owing to this prudent step of theirs that so many of the English escaped the carnage of that fatal day. Other writers insinuate, that following only the dictates of their own ambition, they themselves aspired to a share in the sovereignty; and

the scepter having been lately wielded by the hand of a subject, they perhaps thought themselves as well fitted for ruling the state as any other person. Be that as it might, thus much is certain, that they did not push the title of Edgar so warmly as they might have done, and that their irresolute conduct gave great advantages to the Conqueror.

William, who had the earliest intelligence of what passed in London, thought the confusion which that city must be thrown into by the departure of the two brothers, on whom the citizens had fixed their eyes as their only support in the present exigence, offered too favourable an opportunity for compassing his designs to be neglected even for a moment: accordingly he himself crossed the Thames, and took post at Wallingford, in Berkshire, from whence he sent out detachments to do military execution on all the country round; after which he marched to Berkhamstead, in Hertfordshire: but previous to this step, he sent a strong body of forces to the Surry side of the river, with orders, if they were not received in London, to reduce all Southwark to ashes; which was accordingly performed with the most cruel rigour.

This severity had the desired effect. The chief of the English party, foreseeing that their longer holding out would only open new scenes of calamity, resolved to give way to the torrent of the times, and, if possible, save their country from devastations more shocking than it had ever yet experienced. With this view several nobles, accompanied by Stigand archbishop of Canterbury, Wulstan bishop of Winchester, Walter bishop of Hereford, and other the most eminent citizens of London, repaired to William, at Berkhamstead, and swore him fealty, having first entered into a contract with him for their own security.

Such an example could not fail of having great weight with those who had hitherto stood out; and in proportion as they reflected upon William's power, his rapid success, and the severity he had exercised in treating every one who did not declare for him as if he was against him, this example became more efficacious; and the magistrates dreading a siege, and thinking that the only way to secure the Conqueror's favour was to anticipate his wishes and make a merit of necessity, after having consulted with the nobility, who had already made their submission, they unanimously resolved to go in a body to make him a tender of the crown, with this expression, "That having always been accustomed to live under kingly government, they knew no one more worthy to govern them than himself."

William received them with great courtesy; but, as if unmindful of the very purpose for which he had invaded the kingdom, he, with the most refined policy, pretended at first to have some scruples, and desired time to deliberate on their proposal: but suffering himself at length to be won by their pleasing importunities, to do that which was the darling purpose of his ambitious soul, he returned for answer, that he was ready to consent to their request, and accepted the crown as their gift; thus tacitly acknowledging the right of election in the people of England, at the same time that the manner in which he acquired that election plainly shewed him unregardful of such right.

* He was descended on the one side from the Saxon monarchs, and on the other from king Canute the Dane.

Edgar Atheling, thus abandoned by every one, found it vain to resist, and accordingly implored the protection of William, who readily granted it him. Morcar and Edwin likewise, seeing all their protections entirely superseded by this act of the Londoners, had no longer any pretence to hold out, they, therefore, joining with the current, swore fealty to the duke of Normandy; who, on his part, gave all his new subjects the strongest assurances of protection in their civil and personal rights, and in return received hostages for the faithful performance of their engagements: but notwithstanding this, William did not care to trust himself in the city till he had built a fortress in it, to awe

the inhabitants, which he secured by a strong garrison of Normans.

While this was erecting, he made Barking, in Essex, the place of his residence, and caused preparations to be made for his coronation, which was performed in the most splendid and magnificent manner on Christmas-day. A. D. 1066.

Here we may fix the entire extinction of the Anglo Saxon government, which, with various vicissitudes of fortune, had lasted in England near six hundred years, from the reign of Hengist, the first king of Kent, to this submission to William; from which we may date his reign as king of England, and with which we shall close this period of our history.

Of the State of Religion, and of the Laws, Arts and Sciences, Manners and Customs of the Anglo-Saxons, from the Union of the Heptarchy under EGBERT to the Reign of WILLIAM I. commonly called the Conqueror; containing an Æra of Two hundred and thirty-nine Years.

THE perpetual inroads of the Danes, and the merciless ravages they committed in this unhappy country for the space of near one hundred years after the union of the heptarchy under Egbert, king of the West Saxons, left so little time for any material improvements either in ecclesiastical or civil affairs, that we have found ourselves under a necessity, from the barrenness of history

during this period, to throw together the events of more than two centuries, so far as they relate to the state of religion, laws, manners and customs, &c. Thus much premised, we shall now proceed to consider the most remarkable and interesting occurrences and institutions under each of those heads, in order as they passed. And first,

OF RELIGION, and of the CHURCH.

DURING the reign of Egbert nothing happened worth notice, if we except the charter granted to the abbey of Croyland, about the year 833, by Withglaff, the tributary king of Mercia, in gratitude for his life having been saved by Seward, the abbot of that monastery. This charter was passed at a meeting of the states, assembled to consult upon the means of expelling the Danes; and the same privileges and immunities were thereby granted to it, as to the most favoured abbey in Rome, for their cloister was held as a sanctuary which no officer of justice could enter on pain of losing his right foot; and it was enacted, that the abbot and his monks should be treated with the same respect as princes of the blood. This charter was confirmed by Egbert himself.

Ethelwolf, the son of Egbert, as we have observed in the history of his reign, gave himself entirely over to the guidance of priests, and was in every thing under the government of Swithin, bishop of Winchester, who had been his tutor. This prelate, taking advantage of the pious weakness of his sovereign, inspired him with an extreme affection for the church and clergy, wherein the main of religion was, in those times, made to consist. It was by his means that Ethelwolf made

the famous grant of tythes, A. D. 854. which has ever since continued in the church.

This charter runs thus*: "I, Ethelwolf, by the grace of God king of the West Saxons, &c. with the advice of the bishops, earls, and all other persons of distinction in my dominions, have, for the health of my soul, the good of my people, and the prosperity of my kingdom, taken the prudent and serviceable resolution of granting the tenth part of the lands throughout my whole kingdom to the church and ministers of religion, to be enjoyed by them with all the privileges of a free tenure, and discharged from all services due to the crown, and all other incumbrances incident to lay fees. This grant has been made by us to the church, in honour of Jesus Christ, the Blessed Virgin, and All Saints, and out of regard to the Paschal Solemnity, and that Almighty God might vouchsafe his blessing to us and our posterity. Dated at the palace of Wilton, in the year 854, Indiction the second, at the feast of Easter."

Our historians acquaint us, that in the following year 855, Ethelwolf held a great council at Winchester, at which were present Buthred king of Mercia, and Edmund king of the East Angles, in which this famous donation was solemnly con-

* The charter here translated is in the *Monasticon*, p. 100. and is dated at Wilton in 854. whereas there is another charter, very different from this, in *Ingulphus* and *Matthew of Westminster*, dated at Winchester in 855. To solve this difficulty, it is supposed that Ethelwolf repeated this grant, first at Wilton for the tythes only of his own demesnes, and the

year following at Winchester for the tythes of the whole kingdom; though it must be owned that they both seem equally to extend to all his dominions. See *Ingulph.* p. 17. edit *Gal. & Mat. West. Flor. Hist.* an. 854. *Ingulphus* says this charter was made after Ethelwolf's return from Rome; but that could not be, seeing he was then only king of Kent.

firmed,

firmed, being witnessed by the two kings last-mentioned, and was publicly offered upon the high altar of St. Peter the apostle by Ethelwolf himself, from whence it was transcribed, and sent down through all the parishes in England.

The reigns of Ethelbald, Ethelbert, and Ethelred I. (from the year 866 to 870) are very barren of ecclesiastical events, excepting the destruction of the monasteries and religious houses by the Danes; and the pathetic description our historians give us of the implacable fury of these invaders against the monks: they in particular regret the ruin of the three famous monasteries of Croyland, Ely, and Medeshamstead, to which we may add those of Bardney and Peterborough, where the monks were all massacred and their libraries burnt (see Inguphus, p. 22, 23, 24.) These ravages put a stop to all ecclesiastical authority, for we meet with no English councils after that of Winchester, till the reign of Alfred the Great.

This glorious monarch was the restorer of the lustre of the English church with that of the state. The most material of his ecclesiastical institutions were probably made about the year 877 or 878, till which time, from his accession, he had been engaged in perpetual wars with the Danes; the first part of these is little more than a transcript of the Decalogue, omitting the second commandment, because repugnant to image-worship, which had by this time gained footing in England. These are followed by an abridgment of the regulations instituted by Moses in the book of Exodus (which, for their curiosity, I shall here insert in a note*); after which we find a short introduction to his code of civil laws, which the reader will find at large in its proper place, to which we refer him.

So destructive had been the ravages of the Danes throughout England in one part of Alfred's reign, that he himself informs us, in his epistle to Wulf-gig, bishop of London, there was not to be found, on the south side of the Thames, a man who could

translate a Latin epistle, or understand the English of the Latin service. To repair these defects, and to revive the taste for letters, he was obliged to send for ecclesiastics from foreign countries: of these we shall speak when we come to take notice of the learned men who flourished during the period under our consideration.

We shall now review some of the many benefactions of this great king to the church. He built two monasteries, one at Athelney, the place of his retreat, in Somersetshire; during the inroad of the Danes, the other at Winchester; which were afterwards, with almost all the monasteries in England, filled with married clergy. But Alfred finding that the religious and learned persons whom he had brought from abroad were not sufficient to people those foundations, he put into his monasteries a number of children, who were there educated, in order to qualify them for taking the profession when they should arrive at years of maturity. He also founded and endowed a nunnery at Shaftsbury, the nuns of which were all of them women of quality, and he made his own daughter, Ethelgitha, the first abbess. But notwithstanding Alfred was so great a benefactor to the monks, yet was he far from encouraging them in an inactive or useless manner of life, but by his own example taught them the way in which he expected they should walk.

His works of charity were great and eminent. In conformity with the prevailing fashion of vows of poverty, introduced by the monks, he devoted to God one half of his annual revenue, to be bestowed in works of piety, and these he caused to be distributed into four equal portions or parts.

The first of the four parts he assigned to the relief of the poor in general. The second, to the support and maintenance of the two monasteries which he had built. The third, to the maintenance of the schools which he founded. And the fourth and last, to the general relief of all the monaste-

* After the ten articles abovementioned, we find the following:

XI. These are the dooms which thou shalt appoint them: if thou buy a Christian servant, let him serve thee six years, the seventh year let him be free without pay; with such cloaths as he came in, with such let him go out. — And so on, as in the Latin vulgar translation of Exod. xxi. 1, 6. only instead of "his mother shall bring him to the judges," (*diis* in the Latin) Alfred says, "he shall bring him to the door of the temple," ver. 6. and, in the same verse, to "my wife and children," he adds, "my goods."

XII. Is Exod. xxi. 7—11. omitting the first and last clause of ver. 8. the last clause of the 9th, the first of the 10th verse, and "free without money," ver. 11.

XIII. Is Exod. xxi. 12—14.

XIV. Is Exod. xxi. 15.

XV. Is Exod. xxi. 16, 17.

XVI. Is Exod. xxi. 18, 19.

XVII. Is Exod. xxi. 21. and adds, "if he die the first day, then let guilt rest upon him."

XVIII. Is Exod. xxi. 22, 23. omitting, "as the woman's husband will lay upon him."

XIX. Is Exod. xxi. 24, 25.

XX. Is Exod. xxi. 26.

XXI. Is Exod. xxi. 28—32. For "thirty shekels," king Alfred has "thirty shillings."

XXII. Is Exod. xxi. 33, 34.

XXIII. Is Exod. xxi. 35, 36.

XXIV. Is Exod. xxii. 1. only instead of "five oxen," king Alfred says, "two oxen," and adds, "if he have none to give, let himself be sold for that price."

XXV. Is Exod. xxii. 2, 4.

XXVI. Is Exod. xxii. 5. but thus varied, "if one do any the least damage to the vineyard or field of another, let him make satisfaction according as men shall value it."

XXVII. Is Exod. xxii. 6. abridged.

XXVIII. Is Exod. xxii. 7—12. thus varied, "if one deposite goods with his friend, and he himself make away with them, let him make twofold satisfaction; if he knew not who stole them, let him purge himself, that he hath no deceit: if it were living stock, and he say that the Danish army took it, or that it died of itself, and he have witness of it, then he ought not to make satisfaction; if he have no witness, and cannot prove it; let him take his oath of it."

XXIX. Is Exod. xxii. 16, 17.

XXX. Is Exod. xxii. 18. paraphrased:

XXXI. Is Exod. xxii. 19.

XXXII. Is Exod. xxii. 20.

XXXIII. Is Exod. xxii. 21.

XXXIV. Is Exod. xxii. 22—24.

XXXV. Is Exod. xxii. 25.

XXXVI. Is Exod. xxii. 26, 27.

XXXVII. Is Exod. xxii. 28.

XXXVIII. Is Exod. xxii. 29. according to the Vulgate.

XXXIX. Is Exod. xxii. 31. omitting the first clause.

XL. Is Exod. xxiii. 1. } Paraphrased.

XLI. Is Exod. xxiii. 2. }

XLII. Is Exod. xxiii. 4.

XLIII. Is Exod. xxiii. 3. paraphrased.

XLIV. Is "always avoid lying."

XLV. Is "never put to death the upright and innocent."

XLVI. Is "take no bribes, for they shall oft blind the judgment of the wise, and pervert their words."

XLVII. Is "allow not of any unkindness towards foreigners and strangers, nor molest them with injurious dealings."

XLVIII. Is "swear not by the heathen gods, and nothing, neither call upon them."

XLIX. Contains a kind of recapitulation of the Gospel dispensation.

ries and religious houses in England, and, as occasion served, beyond sea likewise.

Thus was Alfred at once the father of the church and state, but without degenerating into any of the meannesses too common with his ancestors, who had paid implicit obedience to the church of Rome: for, during the reign of this great king, we meet with none of the insolent intermeddling of that court in matters relating to the English church, nor can we learn that the pope pretended in the least to dictate with regard to the methods which Alfred took to propagate religion and piety in his dominions.

But in the succeeding reign of his son Edward, surnamed the Elder, who, though he inherited all his father's virtues, was unequal to him in abilities, we find a very particular exertion of the authority of the Roman see; for (A. D. 901.) pope Formosus, if we may credit the authority of Malmesbury, and there has hitherto appeared no good reason to invalidate it, being informed that the bishopric of Wessex had been vacant seven years, sent over a bull, excommunicating the king and all his subjects on that account, which so terrified Edward and the people, that, in a general assembly of the states, Plegmund, archbishop of Canterbury, was sent to Rome to deprecate the pontiff's wrath, who graciously relented, on the archbishop's promise that not only all the vacant bishoprics in the kingdom should be immediately filled up, but that three new ones should be erected in Wessex; which was accordingly complied with, and Plegmund, at his return to England, consecrated seven prelates in one day*.

Plegmund dying in 923, was succeeded as archbishop of Canterbury by Wulfhelm, bishop of Wells, who crowned Athelstan, at Kingston upon Thames, A. D. 925.

During the reign of this prince was held the synod of Greatly, A. D. 928. The canons which it enjoined were nine in number. As the introduction is remarkable, I shall give it the reader entire:

"I Athelstan, king, by the advice of Wulfhelm my archbishop, and other my bishops, command all my reeves, in the name of the Lord and his saints, that they do in the first place give tythes of all my estate, both of the living stock and of the fruits of the earth; and that all the bishops do the same of all that belongs to them; and also my aldermen and reeves: and my will is, that my bishops, and aldermen, and reeves give this in charge to all that are subject to them, and that they do it effectually by the time that we here fixed, that is, the Beheading of St. John Baptist. I Athelstan, king, declare to all my reeves, with advice of archbishop, bishops, and servants of God, that it is my will, that, for the forgiveness of my sins, ye always feed one poor Englishman; and give him, from two of my farms, every month an amber of meal and a gammon of bacon, or one ram worth four pence; and one shroud every year, for the twelve months' wear: and that ye set at liberty some one that has, for his crimes, been condemned to slavery; for the mercies of Christ and for my

love, with the testimony of the bishop in whose district it is: and if the reeve with-hold it, let him pay thirty shillings as a satisfaction; and let the money be distributed to the poor who dwell in the town where this omission was made, under the testimony of the bishop."

After this follows the II^d article, commanding the magistrates to put the laws in execution against such as were convicted by all the circumstances of a trial by ordeal.

The III^d is against witchcraft, and robbers infesting the highways.

The IVth regulates the number of mints: for which see the civil laws of this king, in the following pages.

The Vth prescribes the circumstances and ceremonies of the ordeal trial, by which a person may be known to be guilty or not. In this canon the priests are spoken of, as having fixed and settled places; and the accused person is permitted to have the consecrated bread.

The VIIIth orders the bishops to assist the judges in the execution of the laws, and to sit upon the bench with them.

This plainly proves that the power of bishops extended, long before the conquest, to secular as well as ecclesiastical matters; and that they then enjoyed temporal privileges equal to those of the greatest noblemen.

The IXth and last canon inflicts a fine upon such magistrates as should be found remiss in their duty; which fine was to be paid to the bishop of the diocese in which such magistrate dwelt.

After the death of Athelstan, Odo, bishop of Sherburne, was promoted to the see of Canterbury, in the room of Wulfhelm, deceased, A. D. 929. This prelate was by extraction a Dane, born in East Anglia: his parents, being pagans, and of great eminence in their country, disinherited young Odo on account of his attachment to Christianity; but he was soon taken notice of by a nobleman called Eadhelm, by whose patronage he got the see of Sherburne. Edmund, the successor of Athelstan, prevailed on him, after many ridiculous qualms, which were only so many masks to his real ambition, to accept the see of Canterbury: and no sooner was this bigotted priest invested with the archiepiscopal dignity than he published a body of canons, which in his preamble he terms, "institutions not unworthy any worshipper of Christ." This was in the year 943.

The Ist of these canons guards against all violation of the church's property, by threatening the delinquent with the high censure of excommunication, and concludes with this impious expression, which justifies the character I have elsewhere given of this archbishop: "that they who refuse to obey church discipline are more bold than the soldiers who sacrificed Jesus Christ."

The II^d begins with this insolent admonition: "We admonish (says he) all kings, princes, and all who are in authority, to obey in all humility their archbishops and bishops, because the keys of heaven are given to them, and to them is given the power of binding and loosing."

* It may not be improper to give our readers the names of those prelates, which were as follow: Tudstan bishop of Winchester, Werestan of Sherborn, Kenulph of Dorchester, Beornoc of Silfey, Wulfhelm of Wells, Eadulph of Cuerton, and

Athelstan of Padstow in Cornwall. The three last were newly erected sees, and that in Cornwall was probably to satisfy the court of Rome, by erecting a bishopric of her own in a country that had presumed to controvert her authority.

In the III^d the bishops are exhorted to discharge their duty of visiting and preaching to their flock throughout their diocese every year, without mercenary views or the respect of persons.

The IVth, Vth, and VIth lay down the duties of priests, clergymen, and monks.

The VIIth prohibits unlawful marriages within the degrees of affinity.

The VIIIth recommends unity and charity.

The IXth enjoins fasting on Wednesday, Friday, and the four Ember weeks. And

The Xth prescribes the payment of tythes, from proofs drawn from the Mosaic institution, without any mention of Ethelwolf's charter.

About the year 941, some say 944, a great synod was held at London, under Edmund, wherein several constitutions passed, the most remarkable of which is, that bishops were enjoined to repair their churches, and the king required to establish funds for their support.

In the course of the following year we find another assembly held for the advancement of the Christian religion, and the maintenance of unity and concord among the people. In this synod, churches and royal palaces were made places of sanctuary; and it was enacted that no remission should be given for any mulct inflicted for breaking the peace, nor any abatement in satisfaction for murder.

In this king's reign the famous charter of privileges was granted to Glastonbury abbey, and was engrossed in letters of gold, in a book of the four Evangelists, which the king made a present to this abbey. The privileges were so extraordinary, that it seemed as if the king had a mind to invest the abbey with a kind of sovereign power within the limits of its own jurisdiction.

About this period the famous Dunstan began to make a great figure both in church and state. He was born in Somersetshire, was descended of a noble family, from whom he inherited a large estate. He received his education at Glastonbury, under the care of an Irish monk, in great repute for his learning.

Dunstan travelled much in his youth, and it was while he was abroad that he seems to have contracted a fondness for the monkish discipline. On his return home he was introduced to court by his friends, where he recommended himself to the great men by his parts, learning, address, and skill in music. But he was much better qualified to insinuate himself into the good graces of the people, than he was to keep their favour; for whether from an haughty, busy, intermeddling temper, or the impertinence and arrogance of his behaviour, he soon created himself abundance of enemies. He seems to have been regular in the general tenor of his living; and had he been as free from the vices of that diabolical spirit, which (according to Osbern's ridiculous relations) haunted him all his life, as he was from the human frailties of incontinence and luxury, he would have been an useful man in his station; but he had too much of that spiritual pride, which, if employed in the service of the monks, gets a man the character of a saint, though it dips him in the sins of sedition and rebellion, and reduces a kingdom to a scene of blood, confusion, and desolation. This disposition of his soon lost him the good graces of Athelstan, who had entertained him with great

kindness; but seeing into his aspiring views, discarded him. Dunstan upon this retired in a pett from public life, from whence he was afterwards recalled by king Edmund, at his accession to the throne, and made his confessor. But here again he quickly obliged his patron to dismiss him: however, having some powerful friends about Edmund's person, they prevailed upon that prince to send for him again: from hence he grew into an amazing degree of favour with him and his brother Ethred. Other particulars of Dunstan's life have already been related in the civil history.

The abbey of Croyland was rebuilt in the reign of Edmund, by Turkytel, the king's cousin and chancellor. This nobleman afterwards turned monk himself, and was made abbot of the above monastery by Ethred, who put him in possession by the delivery of a pastoral staff, according to the custom of those days. Turkytel obtained a very advantageous charter for this abbey; however, Edmund refused to grant the privilege of sanctuary, which that abbey had enjoyed before it was destroyed, to which, we are told, he was advised by the abbot himself.

In 959, Edgar gave a short charter to the see of Canterbury, by which she was made the mother and mistress of all churches within the English dominions, with several other extraordinary privileges. In this Edgar seems to have imitated the emperor Phocas, who made a like grant to pope Boniface, in favour of the bishopric of Rome.

A. D. 961, Dunstan was promoted to the archbishopric of Canterbury, upon the dismissal of Brighthelm, a pious, humane, good, and valuable man, who was ejected from his see without any canonical crime being so much as objected against him, merely to make room for this turbulent and ambitious priest: however, a journey to Rome and the papal compliment of the pall, served to gloss over his intrusion into a full see, in open violation of the most essential rules of ecclesiastical discipline.

On his exaltation he exerted all his power and influence to re-establish his beloved friends the monks in the possession of the monasteries, which were occupied by the married clergy: yet, notwithstanding all his eagerness of affection for them, it was not in his power to re-establish them in the monasteries of the north, which had been deserted above two hundred years, insomuch that the whole province of Northumberland was in a manner unacquainted with the monastic name or habit.

As Edgar's views upon the crown had been greatly assisted by the monkish order, Dunstan readily obtained every favour he could ask, and accordingly he got Oswald made bishop of Worcester, who had been educated a monk in France, and was nephew to the archbishop Odo; and the see of Winchester filled up by Ethelwulph, or Ethelwald, a monk of Glastonbury; whose zeal for the religious rendered them proper seconds for their promoter. Soon after an order was procured from the king, by which the secular clergy were turned out of the old abbey of Winchester. This success only served to animate Dunstan and his coadjutors to new attempts, and they at length prevailed on Edgar to call a council, in which he himself presided, with a resolution to carry the reformation through with a high hand against the secular clergy. In this synod Edgar made a speech, which plainly shewed

shewed how greatly he was prejudiced in favour of the monks; and as it discovers at the same time the disposition of the king, of Dunstan, and of the other director of the affairs of the church with regard to the secular clergy, the reader will not perhaps be displeased to find the whole of it in this place, as translated by the reverend Mr. Collier, who observes, that this harangue is raised and polished in the original much above the elocution of the tenth century, and, therefore, says he should have supposed Josselin (archbishop Parker's secretary) might have worked the matter he found into a more elegant form, had he not met with it as it stands in Rievallensis, an ancient historian.

"Since God hath pleased, most reverend father, to shew his goodness to us in a remarkable manner, it is most reasonable that we should exert our endeavours to make a suitable return; and since he has given us so large a command, it is our duty to employ our authority to his honour, and bring our subjects to the observance of his laws. Now as it is my office to inspect the conduct of the laity, to take care that there be no stop upon justice, to punish the sacrilegious, to correct the ungovernable, to protect the weak against the mighty, and to deliver the poor from him that is too strong for him; so I am likewise concerned to promote the interest of the church, to enquire into the behaviour of the clergy and religious, to see that they manage themselves suitably to their character; whether they are careful in the administration of their office, and constant in their instructions; whether they are moderate in their refreshments, regular in their habit, prudent and equitable in deciding the causes that come before them.

"And, under favour, reverend father, if you had looked thoroughly into these matters, we had never had the dissatisfaction of receiving so scandalous a charge against the clergy: and here not to mention their failings in the shape of the tonsure, not to mention this, I say, what effeminacy do they discover in their habit, what haughtiness in their gesture and motion, what licence in their discourse and conversation: and are not these all signs that things are terribly out of order within? Then as to the business of their function, with what negligence is the divine service performed: they will scarce vouchsafe their company at the holy vigils; and when they enter upon the most solemn parts of religion, they appear with a foreign air, and fall short of the gravity of the occasion. I am sorry to say how excessive they are in their entertainments, how much they are governed by an intemperate appetite, and what lengths they have taken in libertine practice; thus the encouragements of religion are perverted, and the bounty of princes abused. Had our ancestors foreseen their liberality would have been squandered away thus profusely, and spent upon luxury and disorder, they would certainly have held their hand. And if all this misbehaviour had been private and unobserved, the case had been more tolerable; but, alas! the crimes break out into public notice, and the scandal grows notorious; and yet, methinks, the liberty is strangely connived at and overlooked by the prelacy: would not the sword of Levi, would not the zeal of Simeon, be seasonably drawn and exerted upon this occasion? Where is the spirit of Moses, who punished the idolatry of the golden calf in his own blood and relations? Where is Phineas's lance, to

pursue debauchery and execute justice without delay? And yet we see this severity of zeal, this sudden revenge, was acceptable to God Almighty. What is become of St. Peter's indignation and censure against simony and covetousness? You that are the priests of the most high God, ought to copy the proceedings, and be governed by the precedents, of him you represent. It is high time to appear against those who have broke through the rules of duty and religion. I have Constantine's, and you have St. Peter's sword; let us join our force, and unite our respective authorities, that by employing the spiritual and civil power in the same cause, and being thus assistant to each other, the lepers may be discharged the camp, the holy sanctuary may be cleaned, and the sons of Levi put into the temple ministrations: of Levi, I say, who was governed by no partialities to his relations; who said unto his father and his mother, I have not seen him, neither did he acknowledge his brethren. Awaken your discipline, therefore, I beseech you, that we may not repent our bounty, nor be sorry for our kindness to the church; let the disrespect shewn to the relics of the saints, let the profaning the altars with unsuitable approaches, provoke you to animadversion, and do not suffer the piety of our ancestors to be defeated any longer. You know how much my father, grand-father, great grand-father, &c. have lessened their royal revenues, and exhausted their exchequer, in religious benefactions.

"Most reverend father Dunstan, I desire you would raise your imagination upon this occasion: pray look up to heaven a little; fancy you see my father in his station of glory, glittering among the stars, and ready to launch himself from the sky; imagine you hear him deliver himself to you in this language of expostulation and complaint: "O venerable father Dunstan, you used to suggest serviceable advice to me about the building of churches and monasteries; you prompted my piety upon all opportunities, and assisted in the execution of the project; I pitched upon you particularly for my pastor and spiritual father, for the guardian of my soul and the inspector of my behaviour; and did I not always comply with whatever you suggested? Did I not always prefer your advice to patrimony and treasure? How frankly have I laid out my fortune on your proposals; my distributions of charity were always ready, when you called for them. If land or privilege was desired for the church, it was done as soon as mentioned; if you complained the monks or clergy were short in their conveniences, they were immediately supplied by the court. You used to tell me, that the best use of money was to spend it upon the church and poor; that such liberalities would prove immortal in the benefit, help towards an atonement for our failings, and prove the greatest charities to the giver. And is it not an intolerable misapplication, that this holy revenue should be expended upon women, and misemployed for the support of vanity and unnecessary figure? What can you answer to such a charge as this?"

"I am convinced (says king Edgar), most holy father, that this is none of your fault: when you saw a thief, you consented not unto him, neither have you been partaker with the adulterers. No, you have entreated and menaced, but all to no purpose: and since words signify nothing, it is time

time to rise in your discipline, and come to blows. For this purpose you shall be sure not to want the countenance of royal authority: you have likewise Ethelwald and Oswald, the right reverend fathers of Winchester and Worcester, ready to assist you. I give you three a joint commission for this purpose, and refer the management wholly to you; it is your part, therefore, to exert the episcopal authority in conjunction with that of the crown, to expel the disorderly clergy from the monasteries, and put in such as live regularly in their place."

This speech had the desired effect, and the reformers carried their point in most places. But the secular clergy soon after applied to the king himself for redress; and Edgar, willing to preserve a shew of moderation, appointed them a hearing before a general council, convened for that purpose, at Winchester, at which the king, queen, and temporal nobility were present. But here Dunstan, by an impious juggle, got the better of his antagonists; for finding the debates likely to go against him, and that the principal laity were for restoring the secular clergy to their former possessions, he was put to a stand, and made a pause for an answer. And now it seems that there was a deep silence in the court; but before the archbishop could declare himself, an answer was given from heaven: for a crucifix, hanging up in the room, pronounced with an audible voice, "Non fiet, non fiet, judicatis bene, mutaretis non bene.—It must not be done, it must not be done; you have already determined well, and would do ill to change." The assembly, astonished with the oracle, was asked by Dunstan, what farther satisfaction they could desire, "for you have heard (says ye) the matter decided by God himself." Upon this the clergy submitted, and left the monks in possession of their revenues*.

In the latter end of Edgar's reign a body of canons were published, which were translated by sir Henry Spelman from a Saxon MS. in Bennet college, Cambridge: the authenticity of the original is indisputable. By the very particular form of confession annexed to these canons, it appears that it was not yet the practice of the church to invoke the Virgin Mary and the saints; for the penitent is ordered to repeat the Lord's Prayer sixty times in the day, but no mention is made of the Ave Maria, as enjoined at present by the Roman church. By the XVIIth article of these canons parents are enjoined to teach their children the Lord's Prayer and the Apostles' Creed, on pain of not being admitted the eucharist, nor interred in consecrated ground. And as we shall find in some future canons, it is ordered that the Lord's Prayer, the Apostle's Creed, the Collect for the day, and the Epistle and Gospel should be read in the churches on Sundays in English, I think it is plain that the artful custom of performing the whole of divine service in Latin was not practised in the Roman church; and moreover, as the archbishops and bishops were at this time subject to the papal decrees, it cannot be supposed that the popes would have suffered such a schism in the church of England, as omitting the invocation of the Virgin Mary, performing part of the service in English, denying, transubstantiation, &c. if these practices

had really been deemed heretical at this time: and since the foundation of monasteries, and almost all church regulations, were established on the same rules and orders subsisting at Rome, it is a fair inference, that in articles of faith and discipline they agreed also. We shall likewise find, in the course of these pages, that the real presence in the eucharist was openly denied, and the contrary maintained and preached, without any anathemas from the Roman pontiff, or separation in the church, till many years after the Norman conquest.

A. D. 972, Oswald, bishop of Worcester, was preferred to the see of York, and permitted to hold that of Worcester together with it. A monk himself, he, on all occasions, sought to please and provide for his monkish brethren, and with that view a great number of the fraternity were induced to come from foreign parts, and settle in England. Twelve of these he sent to Ramsey, in Huntingdonshire, where Alwin, duke or earl of East Anglia, had founded a religious house; and, among other immunities granted by charter to this house, it is specified that no bishop shall, on any pretence whatever, demand entertainment of the monks, or levy any kind of tax upon them.

Upon the death of Edgar, in 975, the secular clergy, who had been outed from their abbey and other church preferments by the cabals of the monks, began now to bestir themselves in order to recover their former footing. They were supported by Elfgar, earl of Mercia, who ejected the monks and abbots from their possessions; while these latter were patronized by another party of the nobility, who were in the interests of Dunstan. This contest gave rise to several councils, particularly to one at Calne, in Wiltshire, held in the year 978. The advocate for the secular clergy was one Beornhelm, who challenged Dunstan to dispute the contested subject in public, which the archbishop meanly evaded by pretending that it had already been decided by the voice of heaven, speaking through the crucifix, as we have already related that story. Besides which, this crafty priest had recourse to another miraculous attestation in his favour, which supplied the place of reason and argument; for each party sitting in a different place in the room, the floor suddenly fell in, by which many of the seculars, both peers and clergy, were miserably maimed, and some killed outright; while Dunstan and his party remained at the other end of the room unhurt, the beam which supported it being the only one that was unbroken. This accident struck the assembly with conviction in favour of the monks, who were immediately reinstated. The reader will naturally make the proper reflections on this seasonable miracle, without my being at the pains to point it out to him.

A. D. 988, died the famous Dunstan, and, for reasons sufficiently obvious, was canonized for a saint, and his festival appointed on the 20th of February. He was succeeded in the see of Canterbury by one Ethelgar, formerly a monk of Glastonbury; but he enjoying his dignity only three months, was succeeded by Siric, also a monk, and bishop of Ramsbury, in Wiltshire, who stands branded in history for the infamous counsel he gave king Ethelred to purchase his peace with the Danes*,

† This is taken from Mr. Collier, who, with the true spirit of an high-priest, remarks that he is loth to suppose St. Dunstan in a practice to over-rule this case; and that there

might be some art used without the privity of the prelate.

* See page 91. of this vol.

though it is to be observed that no part of the Danegelt was paid by the clergy †.

In the year 992 died Oſwald, archbishop of York, who was ſucceeded by Adulph, who governed this church till 1002.

In the year 995, Aldwin, biſhop of Holy Iſland, removed the bones of St. Cuthbert to the city of Durham, where he built a cathedral, and fixed his ſee. This year likewiſe died Siric, archbiſhop of Canterbury, and was ſucceeded by Alfric, or Elfric, who is highly praiſed by all hiſtorians for his many amiable and virtuous qualifications.

A. D. 1001, under the reign of Ethelred, a miſſion was ſent from England, at the requeſt of Aulaff, or Olaff, king of Sweden, to convert his ſubjects and the Norwegians to Chriſtianity. The heads of this miſſion were Sigefrid, archdeacon (and not archbiſhop, as moſt of our modern hiſtorians miſtakenly have it) of York, Eſchel, Gunebald, Rodolph, and Bernard; whoſe joint labours proved ſo ſucceſſful, that idolatry was put to flight whereſoever they came. Sigefrid was made biſhop of Wexca, in Eaſt Gothland; Bernard had the honour to baptize king Aulaff; Eſchel is enrolled in the Engliſh martyrology; and Gunebald, after having been made a Swediſh biſhop, loſt his life in preaching Chriſtianity to the natives of that country.

It is worthy our notice, that during the reign of Ethelred, the Engliſh church, notwithſtanding its ſubordination to that of Rome, had not adopted the doctrine of tranſubſtantiation, as will appear by the following tranſlation from one of the Saxon homilies.

“ There is a great difference between the inviſible qualities of this ſacrament, and what it appears to us in its ſenſible qualities. In the former of theſe it is corruptible bread and wine, but by the virtue of the divine inſtitution it becometh truly the body and blood of our Lord Jeſus Chriſt, after conſecration; yet not in a corporeal, but in a ſpiritual manner. The body in which Jeſus Chriſt ſuffered and the eucharistical body are widely different; the firſt was born of the bleſſed Virgin, and conſiſted of blood, bones, nerves, and limbs, animated by a rational ſoul; but the eucharistic body is composed of ſeveral grains of wheat, and has neither blood, bones, nerves, limbs, nor ſoul; we ought then not to form any corporeal idea of it, but to underſtand it wholly in a ſpiritual ſenſe.”

And in another homily is the following remarkable paragraph :

“ The ſacrament of the eucharist is not the body in which our Saviour ſuffered for us, nor the blood he ſhed for our ſakes; but it becomes his body and his blood in a ſpiritual ſenſe; in the ſame manner as the manna which fell from heaven, and the water which at Moſes’ bidding flowed from the rock ‡.”

A. D. 1006, died Alfric, archbiſhop of Canter-

bury, and was ſucceeded by Ælphagus, or Alphage, who was of a noble family, and had been a monk of Deerhurſt, in Gloceſterſhire. Under him ſeveral ſynods were held; and thoſe of Engſham and Haba conſiſted of the temporal as well as the eccleſiaſtical powers, and convened to remedy the diſorders in ſtate; therefore the laws which paſſed therein partake of both kinds ||. We have, in a former part of this hiſtory, related the catastrophe of this prelate, who was barbarouſly murdered by the Danes for not complying with their exorbitant demands, at the time they laid Canterbury in aſhes.

The next archbiſhop of Canterbury was Livinus, who had before been biſhop of Wells: he died after having filled his ſee ſeven years, and was ſucceeded by Agelnoth, ſurnamed the Good, ſon of Ægelmar, an Engliſh earl.

Agelnoth was a prelate equally remarkable for his piety and reſolution; for at the acceſſion of Harold Harefoot he peremptorily reſuſed to perform the ceremony of that prince’s coronation, declaring that he had promiſed Canute to crown no prince but the poſterity of Emma: having declared his ſentiments with this noble freedom, he ſet the diadem on the altar, and denounced the vengeance of heaven upon any prelate who ſhould place it on the head of Harold. This prelate had great intereſt with Canute, who owed no ſmall part of his popularity to his ſage and politic advice.

In the reign of this prince, the complaiſance of the Engliſh church to the ſee of Rome ſeemed to be far advanced: the invocation of the Virgin Mary and ſaints in glory was now introduced, but not in ſo direct a manner as in aftertimes, the addreſs towards them being rather in the form of a wiſh than immediate application or homage. In the great charter of Canute to the abbey of Glaſtonbury, mention is made of the bleſſed Virgin and all the ſaints, as intreating interceſſion for the patrons of that monaſtery *. The immediate addreſs, as far as we have been able to trace it, does not ſeem to have been introduced into the Engliſh ſervice till the eleventh century, at which time, in the homily of the Aſſumption of the bleſſed Virgin, we find a direct prayer to the bleſſed Virgin, for her interceſſion.

Canute provided for the honour and peace of the church by ſeveral excellent eccleſiaſtical laws, the principal of which are as follow § :

The IVth enjoins all Chriſtians to pay great reſpect to the clergy, becauſe their ſacerdotal functions are extremely beneficial to the people.

By the Vth, if a prieſt was accuſed of any crime, he had the liberty of purging himſelf by ſaying maſs and receiving the eucharist.

The XIIth recommends celibacy to the clergy, and ſays, “ if a prieſt abſtains from the uſe of women, may God have mercy on him, and let him

† They, good men! thought, in all probability, that their prayers were alone ſufficient.

‡ Theſe homilies are in Latin titled *Sermones catholici*; the tranſlation, in old Engliſh, ſuppoſed to be done by Alfric, archbiſhop of Canterbury, is preſerved in the Bodleian library and in that of Bennet college, Cambridge.

|| The moſt remarkable of the eccleſiaſtical laws, or canons, are as follow :

In the council of Engſham, the IIId canon enjoins the celibacy of the clergy.

The VIIth forbids all perſons doing any wrong to the church, or to eject a clergyman out of his benefice without the conſent of the biſhop.

By the XVIIth, every Friday was to be a faſt, unleſs it fell upon a holiday.

The XXth enjoins frequent confeſſions, and orders the people to receive the ſacrament three times at leaſt in a year.

The council of Haba has but one canon worth notice, which is the IIId, by which every Chriſtian was enjoined to faſt three days, with bread and water, before the feaſt of St. Michael, and to diſtribute among the poor what he ſhould have eaten in theſe three days.

* The words of the original are, “ Si quis — deſenfore ſtuduerit; beatiffimæ Dei genetricis Mariæ, & omnium ſanctorum, interceſſione amplifcet, Deus portionem ejus in terra vivendum.”

§ In the preamble, it is ſaid, theſe laws were drawn up at Wincheſter by the advice of the *wiſe men* of the nation, that is, the prelates and nobles.

have the worldly honour of a thane," that is, let him be ranked among the gentry.

The XXth ordains, that at funerals the dues be paid to the priest immediately on breaking up the ground; and that the dues be paid to the parish the deceased belonged to, though he was buried elsewhere.

The XXIIId enjoins the observance of Sundays from Saturday three o'clock till Monday break of day.

The XXIIIId determines the times of fasting, and places the vigils of the festivals of the blessed Virgin and of the apostles among the fasts.

There are several others, relating to the payment of tythes and Peter's pence, &c.

A. D. 1038, Agelnoth, archbishop of Canterbury, dying, his see was conferred on Eadsius, Harold's chaplain, who afterwards crowned Edward the Confessor, and instructed that prince in the knowledge of the English laws and constitutions. As this prelate was of an infirm constitution, he was indulged, during his bad state of health, to govern his see by a substitute, or deputy †, who at that time held his residence in St. Martin's in the Fields.

When, by Edward's invitation, a flood of Norman foreigners came over to this kingdom, Rodbert, a Norman monk, was made bishop of London, and, after the death of Eadsius, promoted to the see of Canterbury. He was driven from thence in the manner already related ‖, and Stigand, bishop of Winchester, was placed in his room, A. D. 1054. This prelate held both Canterbury and the see of Winchester, already in his possession. Rodbert, the ejected archbishop, appealed to the pope against these proceedings; but Stigand, without troubling himself about it, or staying for the pope's determination, who suspended him, got himself consecrated, and, notwithstanding this suspension, and although he had never applied to Rome for the pall, continued his archiepiscopal functions till he was deposed by William the Conqueror*.

Edward, towards the latter end of his reign, being disturbed with some scruples concerning a vow he had made in his exile to visit Rome, the performance of which he was now desirous of accomplishing, he found himself opposed therein by all the great men of his kingdom, upon which, as we have observed in our civil history, pope Leo IX. was prevailed on to commute it, upon condition of his founding a new monastery: in consequence of which St. Peter's, Westminster, was built, and Edward sent an embassy to Rome for the confirmation of the privileges bestowed upon this new foundation. The persons nominated for this purpose were Aldred, metropolitan of York; Tofti, Godwin's son; Giso, bishop of Wells; and Walter, bishop of Hereford.

Nicholas II. who was then pope, gave the ambassadors a very favourable reception, Aldred excepted, who was tried and convicted of simony in a Romish council, for holding the sees of York and Worcester together, without a dispensation from the holy see, and deprived of his character and jurisdiction. The ambassadors, on their return, had the misfortune to be set upon and robbed by a gang of banditti, upon which they were fain to return back to Rome; and Tofti applying to pope Ni-

cholas to be reimbursed for the loss they had sustained, was flatly refused by his holiness. This produced some altercation, in the course of which Tofti gave his holiness clearly to understand, that if he did not comply with a good grace, he would, immediately on his return to England, make use of all his interest with the king his master to stop the payment of Peter's pence, till the pope should have indemnified the embassy for the damage it had sustained.

This high language startled his holiness, and he knew too much of Tofti not to fear that he would make good his threats. In order, therefore, to compromise the affair, and appease Tofti's clamour, Nicholas agreed that Aldred should be restored to his dignity and even receive the pall as archbishop of York, provided he would resign the see of Worcester. The proposal was embraced, the accommodation effected, and the pope sent two legates into England with Aldred, to assist him in consecrating Wulfstan bishop of Worcester, Stigand, archbishop of Canterbury, being looked upon as an usurper by the court of Rome, in that he had taken possession of the see of Canterbury during the life of Rodbert the Norman, without having applied to the pope for a pall. But Stigand, who knew himself to be received by the king and people of England as an archbishop, supported his rights on this occasion with an exemplary magnanimity of spirit, and obliged Aldred to declare, before the king and council, that he renounced all pretensions to ecclesiastical or secular authority over Wulfstan, on account of his having consecrated him, or his having been a monk under him before his consecration.

About this time Elfgwine, abbot of St. Augustine's, in Canterbury, was, in respect to his founder, highly honoured by pope Alexander II. for going on a visit to Rome, that pontiff bestowed on him the badges of a mitre and sandals, though peculiar only to the episcopal order; and he continued in possession of these marks of distinction till the persecution raised against him under William the Conqueror, by whom he was expelled the kingdom.

As the ecclesiastical laws of Edward are so interwoven with the political as hardly to be separated, we shall, therefore, refer our readers to the ensuing pages, where he will find them under their proper class; but as the VIIIth and IXth of these laws are but slightly hinted at, I shall here set them down at large, as they are of great ecclesiastical importance, and prove that parish churches endowed with tythes were then common in England.

VIII. "The tenth sheaf is due to God of all corn, and therefore to be paid. If any one keep a family of mares, let him pay the tenth colt: let him that has one or two only, pay a penny for every colt. So let him that hath many cows pay the tenth calf; he that has but one cow, an half-penny for every calf: let him that maketh cheeses, pay to God the tenth cheese; let him that doth not, pay the milk every tenth day: likewise the tenth lamb, the tenth fleece, the tenth butter, the tenth cheese, the tenth pig.

IX. "Likewise of bees the tenth of the profit. Likewise the tenth is to be given to God, who giveth the nine parts as well as the tenth, of wood, meadows, water-mills, parks, warrens, fisheries,

† Styled *chorepiscopus*. This office was extinguished afterwards by archbishop Lanfranc, after having subsisted for some time, every archbishop having his *chorepiscopus*, or assistant. *Coll. Eccl. Hist.*

‖ Page 120.

* Malmesbury says he procured a pall, five years after, from Benedict the antipope. *De Gest. Pontiff.* lib. iii.

officers, gardens, and negotiations. Let him that detaineth it be constrained by the bishop's court, and by the king's if that be necessary: for the blessed Austin preached and taught this, and it was granted by the king, the barons, and the people. But afterwards many detained them by instinct of the devil; and priests being rich and negligent, did not care to be at the pains to collect them in, because they had sufficient maintenance, for there are now three or four churches in many places, where then there was but one; and thus tythes have come to be lessened."

Mr. Camden, from the Canterbury History, makes Honorius, archbishop of Canterbury in the year 636, the first who divided his diocese into parishes; but there is great reason to question whether this division ought to be taken as answering to the modern division of parochial cures.

This last seems to have taken its rise from the conveniency of great men and subjects of property, who did not care to have a new priest at every turn, which was the case when the clergy led an itinerant life without being fixed to any particular cure which took care of their maintenance: the bishops readily concurred with this disposition, as it freed them from the expence of maintaining a number of labourers that might come accidentally into their dioceses. It appears, however, from the above laws of Edward, as well as from many parts of our history, that the noblemen and others were, in general, very remiss in furnishing their quotas towards the support of the clergy they had fixed among them: this, in all probability, gave occasion to the frequent acts which, after the reign of Ethelwolf, were passed to enforce the payment of tythes in the strictest sense.

Such was the rise of the parochial division, which was almost quite settled in the reign of Edgar, or at least of Canute the Great. Between that time and the reign of Edward the Confessor, there were some further divisions, but in all appearance there were very few new ones after the Norman conquest; at least we find, by several charters of the latter Saxon kings, that the parishes of Cambridgeshire, Huntingdonshire, and Lincolnshire, were the same as at present†: whence it may be fairly presumed that the parishes of other counties agreed with our modern division‡.

It may be proper in this place, for the reader's better understanding the future part of the history of the church, to give an account from the latest edition of Mr. Camden's Britannia, of the divisions both of dioceses and parishes, as under the two metropolitans.

In the Province of CANTERBURY.

Canterbury, with Rochester, contains the county of Kent. London; Essex, Middlesex, and part of Hertfordshire. Chichester; Sussex. Winchester; Hampshire, Surry, and the Isle of Wight, with Guernsey and Jersey islands lying upon the coast of Normandy. Salisbury; Wiltshire and Berkshire. Exeter; Devonshire and Cornwall. Bath and Wells jointly; Somersetshire. Gloucester, Gloucestershire. Worcester; Worcestershire and part of Warwickshire. Hereford; Herefordshire and part of Shropshire. Coventry and Litchfield; Staf-

fordshire, Derbyshire, and the other part of Warwickshire, as also that part of Shropshire which borders upon the river Repil. Lincoln, the largest; six counties, Lincolnshire, Leicestershire, Huntingdonshire, Bedfordshire, Buckinghamshire, and the other part of Hertfordshire. Ely; Cambridgeshire and the Isle of Ely. Norwich; Norfolk and Suffolk. Oxford; Oxfordshire. Peterborough; Northamptonshire and Rutlandshire. Bristol; Dorsetshire. To which eighteen dioceses in England must be added those of Wales, which were deprived of an archbishop of their own, and are also made fewer, seven hardly coming into four: these are St. David's, whose seat is at St. David's, Llandaff, Bangor, and St. Asaph or Devenis.

In the Province of YORK.

York itself comprehends Yorkshire and Nottinghamshire. Chester; Cheshire, Richmondshire, and Lancashire, with part of Cumberland, Flintshire, and Denbighshire. Durham; the bishopric of Durham and Northumberland. Carlisle; part of Cumberland and Westmoreland. To which number may be added the bishopric of Sodor, in the Isle of Man.

Among these the archbishop of Canterbury takes the first place, the archbishop of York the second, the bishop of London the third, the bishop of Durham the fourth, and the bishop of Winchester the fifth; the rest take place according to the time of their consecration: but if any of the other bishops happen to be secretary of state, in virtue thereof he takes the first place next to these three. Besides twenty-six deaneries, thirteen whereof were erected in the larger churches by Henry VIII. upon his expulsion of the monks, the archdeacons are sixty; and the dignitaries and prebends make five hundred and forty-four. There are also nine thousand two hundred and eighty-four parish churches, under the bishops; of which three thousand eight hundred and forty-five are appropriate, as is plain from the catalogue exhibited to king James I. which I have here subjoined. Now appropriate churches are such as, by the authority of the pope and the consent of the king and the bishop of the diocese, were, on certain conditions, annexed to those monasteries, bishoprics, colleges, and hospitals, whose revenues were but small, either because they were built upon their ground, or granted by the lords of the manor. Such a settlement is expressed in law by being united, annexed, and incorporated forever: but upon the subversion of the monasteries, these, to the great damage of the church, were made lay fees.

In the Province of CANTERBURY.

Dioceses.	Parish Churches.	Churches appropriate.
Canterbury	357	140
London	623	189
Winchester	362	131
Coventry and Litchfield	557	250
Salisbury	248	109
Bath and Wells	388	160
Lincoln	1255	577
Peterborough	293	91
Exeter	604	239
Gloucester	267	125

Hereford

† Vide *Monast. Angl.* under Ely, Croyland, &c.

‡ As may be farther seen from *Domesday-book*, where the parishes are very near the same as at this day.

Dioceſes.	Pariſh Churches.	Churches appropriate.
Hereford	313	166
Norwich	1121	385
Ely	141	75
Rocheſter	98	36
Chicheſter	250	112
Oxford	195	88
Worceſter	241	76
Briſtol	236	64
St. David's	308	120
Bangor	107	36
Llandaff	177	98
St. Afaph	121	19
Peculiars in the province of Canterbury	57	14

The whole number in the province of Canterbury is 8219 pariſh churches, and 3303 churches appropriate.

In the Province of YORK.

Dioceſes.	Pariſh Churches.	Churches appropriate.
York	581	336
Durham	135	87
Cheſter	256	101
Carlisle	93	18

The whole number in the province of York is 1065 pariſh churches, and 542 churches appropriate.

The whole number in both provinces is 9284 pariſh churches, and 3845 churches appropriate.

All that now remains to finiſh this ſketch of the eccleſiaſtical hiſtory of this country, is to give a brief account of the tranſactions of the Welch church during the ſame period. In or about the reign of king Alfred, no leſs than ſeven ſynods were held at Llandaff; but their particular dates are not come down to us. In the firſt, king Teudor was excommunicated for the complicated crimes of perjury and murder. In the ſecond, held by Berthgwin, one king Clolti underwent the ſame ſentence for the like offence. In the third, aſſembled under the ſame prelate, Gurcan was put under eccleſiaſtical deprivation for inceſt with his mother-in-law. The fourth ſynod was convened by biſhop Cerenher, in which one king Howel was excommunicated for murder and perjury. The ſame biſhop held the fifth ſynod, and excommunicated Coubli for the like crimes. The ſixth was held by Civiellanc, againſt king Brochmail*, who had incurred his diſpleaſure. And the ſeventh by biſhop Gulfied, in which the rights of the church ſanctuary were vigorously ſupported. In all thoſe ſynods the offenders not only made very ſubmiſſive concessions, but alſo paid large fines to the church. It is obſervable, that Aſſerius, the author of thoſe collections, whenever he ſpeaks of excommunication, mentions the clergy laying their croſſes upon the ground, and turning the bells of the churches upſide down.

Howel Dha, or Howel the Good, cotemporary with

Edmund king of England, has left a conſiderable collection of canons, compoſed in an aſſembly of his ſtates, which conſiſted of all his eminent clergy and ſix learned laymen, out of every hundred, or demut, of his kingdom: of theſe canons the only one truly remarkable is the XIIth, by which it is provided, “ That a woman might, upon three accounts, obtain a ſeparation and reſtitution of her portion from her huſband; firſt, if he had any tedious eruptions; ſecondly, if he was impotent; and thirdly, if he had a ſtinking breath.”

About the year 955, a ſynod was held at Llandaff, on account of ſome ravages committed againſt the church by king Nogui, who ſubmitted to eccleſiaſtical cenſure. Another ſynod was held at the ſame place in the year 991, by Gurcan, who had been conſecrated biſhop of Llandaff by Dunſtan; here eccleſiaſtical cenſure was paſſed upon one king Arthmail, who had murdered his brother, and the offender was obliged to expiate his offence by large donations to the church.

Thus, to whatever quarter of this kingdom we turn our eyes, we ſhall find popery and the overbearing inſolence of the monkish clergy ſapping the foundations of the civil power, and obſcuring the light of the Goſpel; and that the pretended diſpenſers of God's word and power, took care on all occaſions to provide for their own authority and emolument, whenever they had to do with bigotted and eaſy princes, or ſuch who ſtood in need of their intereſt.

But notwithſtanding all their arts, and the great condeſcenſion of the princes of the Saxon race in their favour, they could not keep to themſelves the election of biſhops and abbots; for the kings, juſtly alarmed at the growing power of the church, which, not contented with tyrannizing over the conſciences of the people, frequently ſnatched the ſceptre from the hands of their ſovereigns, began to think it neceſſary to oppoſe art to inſolence and prieſtcraft, and with this view kings began to interpoſe in elections by way of canvassing or recommendation, in order to exclude ſuch prelates or abbots whom they did not like, and to eſtabliſh thoſe on whoſe humility or complaiſance they thought they might place ſome dependence. In time, theſe proceedings ſucceeded ſo much in favour of the court, that in the reign of Ethelred II. we learn from Ingulphus, that the monks had entirely loſt the privilege of chuſing their abbots. It is remarkable that this writer, who was himſelf a monk, and is the moſt vehement in exclaiming againſt this abuſe as he calls it, was inſtalled in the abbey of Croyland by the very ſame methods, that is to ſay, by the ſole will of William I.

Having thus gone through all that relates to the church during the period before us, I ſhall now, in imitation of ſome of the moſt celebrated writers of hiſtory, give a brief account of the moſt noted perſons for their piety and learning; a method which I ſhall purſue throughout this work at the cloſe of every period.

* The reader will abate his ſurprize at finding ſo many kings depoſed or excommunicated, when he is informed that theſe kings were no other than petty toparchs, or men of great property in their ſeveral diſtricts.

LEARNED MEN in the IXth, Xth, and XIth CENTURIES.

TOWARDS the close of the eighth century lived Alcuin, or Albinus, a famous Northumbrian. He was bred a Benedictine, and was made abbot of St. Augustine's, Canterbury. He was disciple to Egbert, archbishop of York. Being sent ambassador by Offa to Charles the Great, that prince invited him to stay at his court, and was taught by him logic, astronomy, and mathematics: by his persuasion the emperor founded the university of Paris, as likewise that of Pavia. He wrote a great many books: and died in 804.

The next was Swithin, or St. Swithin as he is called; he had been preceptor to king Ethelwolf, by whom he was promoted to the see of Winchester. It was by his advice that this prince granted the famous charter of tythes, mentioned in our history of the church. The popish legends are full of pretended miracles said to be wrought by him after his death, the true value of which no one is at this day to learn.

Humbert, or Hubert, bishop of East Anglia, massacred or martyred by the Danes with king Edmund.

ALFRED the Great, exclusive of his royal dignity, was the most learned person of his time. The author of his life assures us that he was the best Saxon poet then living, an excellent grammarian, orator, philosopher, architect, geometrician, and historian. He composed several works that were held in great esteem; among others, he translated into Saxon, Gregory's Pastoral, Boetius De consolatione, and Bede's Ecclesiastical History. Mr. Bayle, in his Centuries, has given us a list of his works, as well those of his own composing as what he translated from the Greek and Latin languages; but they were so numerous, that the list would exceed the limits we have assigned to this part of our work: we cannot, however, dismiss this article, without giving the reader the following curious anecdote relating to this extraordinary personage.

He was twelve years of age before he could read, which he first began to learn upon this occasion; his mother seeing him one day highly delighted with a book beautifully adorned with capital letters in gold and various colours, said, in the hearing of him and his brother, that she would bestow that book on him who should first get it by heart. The infant breast of Alfred was instantly fired with emulation, and he set himself so diligently to learn his letters that, in a very short space of time, self-taught he was able to read and repeat the whole book to his mother. From this time he conceived that relish for learning, of which he made so noble a use in his riper years.

During his reign we find many great patterns of learning, who were either natives of this country or had been invited by him from foreign parts to

settle here, and revolved like bright luminaries round their royal orb and patron. Of these the principal were

Johannes Scotus Erigena, so called as being a native of Ireland (Erene being the name by which it then went.) He had studied at Athens and in other foreign countries, and made himself master of the Greek and oriental tongues. He then repaired through Italy to France, where he was in high favour with Charles the Bald. The fame of his talents extending to England, he was invited hither by Alfred, whom he instructed in the liberal arts. Afterwards he taught at Oxford, from whence he was removed to Malmesbury, where his scholars murdered him with their penknives, though on what occasion we are ignorant.

Gumbald was another foreigner for whom Alfred conceived a very early affection, on account of the hospitable entertainment he had given him at Rheims, on his journey to Rome. He created him abbot of Winchester. He was a learned divine, well skilled in music, and no less remarkable for his oratorical talents.

Among the English that were eminent for their learning, the most considerable was Asserius, surnamed Menevensis, from St. David's, the place of his nativity. He wrote the Life of Alfred the Great, in 893, and died bishop of St. David's in Wales.

Werefred, bishop of Worcester, in Mercia, lived in the reign of Buthred king of that country. When the Danes made themselves masters of Mercia, he retired into France, but was recalled by king Alfred. He translated the Dialogues of Gregory the Great into Saxon. He died A. D. 902.

Plegmund, who was archbishop of Canterbury, passed for the most learned prelate of his time: he was particularly skilled in divinity, which he taught in the public schools erected by Alfred at Oxford.

Dunulf had been an herdsman, but, for his great parts, had been cherished by Alfred, and at length promoted to the see of Winchester, as we have already mentioned in the foregoing pages.

John, the monk of St. David's. He is probably the same who, in the preface to Gregory's Pastoral, is termed by Alfred, John his mass-priest, and to whom he was obliged, as he owns there, for the instructions that enabled him to understand and translate that Pastoral.

Wulffig, bishop of London. This prelate had also a great share in the esteem of the excellent Alfred, as appears by his letter to this prelate prefixed to his translation of Gregory's Pastoral. As this epistle is in itself extremely curious, we think that it would be depriving the reader of a very valuable monument, were we not to give it him as it hath been handed down to us; we have therefore thrown it at the foot of this page in a note*.

But

* "Alfred, king, wisheth greeting to Wulffig, bishop, his beloved and friend-like, and thee to know I wilh, that to me it cometh very often in mind what manner of wise men long ago were throughout the English nation, both of the spiritual degree and of the temporal; and how happy the times then were among all the English, and how the kings, which then the government had of the people, God and his written will obeyed; how well they behaved themselves both in war and peace, and in their home-government; how their nobleness was spread abroad, and how they prospered in knowledge and in wisdom: also the divine orders how earnest they were, as well about

preaching as about learning, and about all the services they should do to God; and how men from abroad, wisdom and doctrine here in this land sought; and how we the same now must get abroad if we would have them, so clean has learning fallen among the English nation, as that there have been very few on this side Humber that were able to understand the English of their service, or turn an Epistle from Latin into English; and I wot there were not many beyond Humber that could it: there were so few, as that I cannot bethink me of one of the south side of the Thames, when I first came to reign, God Almighty be thanked, we have ever a teacher in pulpit now;

But of all the eminent personages who dignified the court of Alfred,

Neotus, or St. Neot, was most remarkable for his learning, piety, and example. Being descended from the blood royal of the East Angles, he was respected as a prince as well as a prelate, and is said, by his personal admonitions, to have restricted the follies of Alfred's youth. On his death his reputation of zeal for the honour of religion was such, that being buried in St. Guerer's church, in Gainsbury, in Cornwall, he supplanted that old Cornish saint in the name of the place, which, with a religious house, was dedicated to him, and after him called St. Neotstow. He is by Bayle called Neotus Adulphius; and by Speed, the reputed son of Ethelwolf, or Adulph; but Affer calls him the kinsman, not the brother, of Alfred. He died A. D. 895.

Odo, archbishop of Canterbury, was the son of an East Anglian Dane. He took orders in the reign of Edward the Elder; and his zeal, virtue, and capacity, gained him so great a character, that Athelstan made him bishop of Sherburne: he had no less interest with king Edmund, who resolved to promote him to the archiepiscopal see of Canterbury; but it was a considerable time before he could be prevailed upon to accept this new dignity. Afterwards, becoming a vigorous champion for the monks, whom he served on all occasions, without any strict regard to the means, we need not wonder at finding him enrolled in the number of the saints. But of this prelate, as also of his contemporary and successor,

Dunstan, we have already said sufficient to make their characters known.

The same may be said of Ethelwald, bishop of Winchester, and Oswald, bishop of Worcester first, and afterwards archbishop of York: whose great zeal in the cause of the monks is doubtless what contributed most to their reputation for piety; but as men of learning and abilities, their characters remain unimpeached in the annals of history.

Alfric, archbishop of York, remarkable for his translation of the Saxon Homilies, was promoted to the see of Canterbury in 995, and died in 1006.

Wulfstan, bishop of Worcester, was a person of an extraordinary character. This prelate having been consecrated by Aldred, archbishop of York, in the reign of Edward the Confessor, made his profession of canonical obedience to Stigand, archbishop of Canterbury, though suspended by the pope.

Edmund, bishop of Durham, was remarkable for the manner of his election. The chapter of Durham being met to elect a bishop, but not being able to agree upon their man, Edmund, a priest of that church, said jestingly, "Since, reverend fathers, you are so divided in your opinions whom to chuse, e'en take me for your bishop." As omens and miracles were the prevailing follies of those days, the chapter looked upon this as a divine impulse, and unanimously agreed to elect him. He became famous for his courage and boldness in reprimanding vice even in persons of the most exalted birth and station.

L A W S.

DURING the heptarchy there were no laws common to all the seven kingdoms, but each had its own in particular. The first laws we have any knowledge of, are those of Ethelbert, king of Kent, enacted about the time of the conversion of the Saxons to Christianity, those of Ina, king of Wessex, and of Offa, king of Mercia, which we have already given the reader, in a foregoing part

of this history. There is no doubt but that some of the other kings of the heptarchy enacted laws for the government of their respective dominions, but they are not come down to us.

Alfred, justly surnamed the Great, no less eminent in his legislative capacity than in that of the good king and the expert warrior, found the body of laws extant in his time, to be of three sorts; the first,

now; therefore I pray thee that thou do, as also I believe thou wilt, that wisdom, that God has given thee, bestow all about on them thou canst bestow it: think what punishment shall for this world befall us, when as neither we ourselves have loved wisdom, nor left it to others; we only loved the names that we were Christians, and very few of us the duties. When I minded all this, methought that I saw, before all was spoiled and burnt, how all the churches throughout the English nation stood filled with books and ornaments, and a great multitude of God's servants; and at that time they wist very little fruit of their books, because they could understand nothing of them, for that they were not written in their own language; so they told us, that our ancestors, that before us held those places, loved wisdom, and through the same got wealth, and left it us. A man may yet here see their swath, but we cannot enquire after it, because we have let go both wealth and wisdom, for that we would not stoop with our minds to the seeking of it. When I thought of all this, then wondered I greatly that their godly wise men, that were every where throughout the English nation, and had fully learned all those books, would turn no part of them into their own language: but I then again quickly answered myself, and said, they weened not that ever men should become so reckless, nor that this learning would so decay; therefore they willingly let it alone, and wot that here would be the more wisdom in the land the more languages that we understood. Then I called to mind, how that the law was first found written in the Hebrew speech; and after that the Greeks had learned it, then turned they it into their own speech wholly, and also all other books: and then the Latin people, a little after they had learned it, they translated all, through wise interpreters, into

their own language: and all other Christian people have turned some part thereof into their own tongue. Therefore, me thinketh it better, if you so think, that we also some books, that be deemed most needful for all men to understand, into that language turn that we all know; and that we bring to pass, as we easily may, with God's help, if we have quietness, that all the youth of freeborn Englishmen, such as have wealth that they may maintain them, be committed to learning; that while they no other note, can they first learn well to read English writing; afterward let men farther teach in the Latin tongue those that they will farther teach, and have to a higher degree. When I minded how this learning of the Latin tongue heretofore was fallen through the English nation, though many could skill to read English writing, then began I, among divers and manifold businesses of this kingdom, to turn into English this book, which in Latin is named *Pastoralis*, and in English *The Herdsman's Book*, some time word for word, some time understanding for understanding, even as I learned them of Plegmond my archbishop, of Affer my bishop, and Grimbold my mass-priest, and John my mass-priest: after that I had learned of them how I might best understand them, I turned them into English, and will send one to each bishop's see in my kingdom; and upon each there is a style that is of fifty marks: and I command, on God's name, that no man the style from the books, nor the books from the minister, take; seeing we know not how long there shall be so learned bishops as now, God be thanked, every where there are. Therefore, I would they should always remain in their places, except the bishop will have them with him, or that they be lent some whither, until that some other be written out."

those

those contained in the scripture; the second, those drawn from the history of ancient nations; and lastly, those of his predecessors the Saxons, as they had been digested by Ethelbert, Ina, and Offa, the three kings above-mentioned: he therefore endeavoured to form from the whole of those such a system as might gradually lead them, under his successors, to that perfection which is at once the glory and security of a free state. To the immortal honour of Alfred we must observe, that to him was owing that invaluable privilege peculiarly enjoyed by Englishmen, of being tried by a jury of their own peers; an institution which, indeed, had its rise among our German ancestors; but from the multiplicity of jurymen, which amounted in most cases to an hundred, was attended with many difficulties and delays, from which, by fixing the number to twelve only by Alfred, it was happily freed. To him likewise was owing the finding of sureties for good behaviour, or the commitment to prison. The original of fairs and markets is also given to this king by sir John Spelman, which first took their rise from a practice which was common between the Danes and the Saxons, after the former had gotten footing this country, to steal not only horses, oxen, and other cattle, but also to carry the wives and children from each others lands and sell them as slaves; and it was frequently very tedious, if not impracticable, to find out the offenders and bring them to condign punishment, by the sufferers properly proving their property.

Finding that the counts, or great men, governors of shires, frequently used their authority to the cruelly oppressing the inhabitants immediately under their jurisdiction; Alfred resolved to abolish that slavish jurisdiction, and in its place substituted a shire-reeve, or judge for each particular shire, who, from their secondary rank, were called vice-counties, or deputies of the count. And furthermore, that he might, as much as in him lay, put a stop to private robberies and murder, which prevailed much in his time, from the number of lawless vagabonds whom the Danes had left behind them when expelled the kingdom by his victorious arms, he erected courts of justice in each tything and hundred. The tything-court consisted of ten heads of families, who were obliged to be mutual sureties for the good behaviour of each other, as each of them in particular was for all that were under him. Each tything had a head, or president, called the tything-man, whose office it was to hold courts on all occasions that might require the more speedy administration of justice.

Thus he divided all England into shires, or counties, the counties into hundreds, and the hundreds into tythings; and all the inhabitants of the kingdom were obliged to belong to some tything. By this excellent disposition the householders became responsible for their own families, the tything for the householders, the hundred for the tythings, and the shire or county for the hundreds, so that every one was watchful over his neighbour's ac-

tions; and by this means the tranquility of the whole was admirably provided for, by the means of suit and ready prosecution of right*.

Though Alfred was endowed by nature with a capacity fully sufficient to direct him to the most suitable means for putting his designs for the good of the people in execution, yet, with a noble diffidence worthy of example, he consulted others that were eminent for their abilities, and never enacted a law till it had first passed through three several councils.

The first was his secret or cabinet-council, to which only his favourites and intimate friends among the great men of the state were admitted; here all affairs were debated with the same freedom of opinion as in a private conference of friends and equals. After this they were laid before the second council, which consisted of bishops, earls, viscounts or deputy-governors of counties, and the principal men of property, known then by the name of thanes, which title was afterwards changed to that of barons: this resembled the present privy-council, the members of it being all appointed by the king himself.

The third was a general council, or assembly of the nation, called in Saxon, Wittena Gemot, in which, quality and office conferred a right of session independent of the royal authority or nomination. This assembly, which we at present style the Parliament, from an old French word signifying "speaking together," or "conferring," was composed of the two archbishops of Canterbury and York, the bishops, earls, viscounts or high sheriffs, and the thanes of the first rank or barons. Thus we behold in these three councils the origin of the cabinet and privy-councils, and the antiquity of parliament.

Alfred, throughout the whole of his laws, shewed an ardent zeal for justice, and sincere desire of preventing the great from oppressing the small. In themselves they were mild, compared to those of later ages; but the strictness with which Alfred enforced their observance, gave them a weight superior to the most rigorous penalties: and as he was sensible that it is the actual execution, and not the bare institution, of good laws, that must make a people happy, he, for that reason, laboured all in his power to prevail on his nobles, who were the hereditary judges, to apply themselves to the study of the laws, and gave such weight by his own example to what he had recommended, that in a short time his reign became the golden age of justice. And so careful was he that no kind of wrong should be done to his people, that he used to re-examine the causes tried in his absence; and in case he found any injustice done, out of favour or interest, he punished the judges severely: those who pleaded ignorance, he instantly dismissed with a sharp reprimand for undertaking an office for which they were not qualified; but where he found evident marks of corruption or wilful oppression, the offender was sure to feel the heaviest weight of his displeasure; and it is recorded, that he executed no

* This great work of the king's, saith sir John Spelman, gave original to the Domesday Book, so famous in all our histories: for when Alfred had made the survey of his kingdom, in order to divide it in the manner above-mentioned, he caused it to be ingrossed, and kept at Winchester: and being extant at the time that the duke of Normandy took possession of the English crown, it not only created in him a desire to do the like, but also furnished him with such ample assistance therein,

that the survey which William made, was little more than the second edition of the same work (*anterior & locupletior*), it being in every other respect the same with that of Alfred's, and was also called by the same name, Winchester Book. Afterwards, either by corruption from Dom-boc (by which name the Saxons called all the books of laws and constitutions), or by affectation for the authenticity and originality of the work, it obtained the name of Domesday Book, which it still retains.

*Alfred makes a Collection of Laws, and divides the
Kingdom into Counties.*



*To his Grace
Duke of
This Plate is most*



*Charles Lennox,
Duke of Richmond:
humbly Inscribed.*

less than four-and-forty judges in one year for mal-administration in their office.

We shall now proceed to give an abstract of this prince's laws, as also of those of his successors, by which will be seen the several improvements made by them in the great model he left for their direction.

The laws of Alfred are ranked under two heads: I. The laws of Alfred, forty in number. II. The league between Alfred and Guthrun; which seems to be no more than articles of pacification, and conditions on which Guthrun was to hold East Anglia.

The Ist of Alfred's laws requires, as most necessary to all his subjects, that each keep his oath or pledge, his promise to observe the laws, and keep the peace. And if any should be compelled to swear, or deposite a pledge, whereby he may be bound to betray his lord, or unjustly to assist any person, he ought to break his promise rather than perform it; but in case he hath engaged to perform any thing which might justly be done, and doth it not, his arms and all his personal estate shall be put into the hands of his friends, and he himself kept in the king's prison for forty days, till he undergo that penance which the bishop shall enjoin him, and also his friends and relations require of him: but if he hath not wherewith to sustain himself in the mean while, if his kindred are not able to provide him victuals, the king's officer shall do it. But if he resist, and be taken by force, he shall forfeit both his arms and his personal estate; and if he be killed, nothing shall be paid as the value of his head. And in case he escape before his time (viz. of forty days) be out, and he be retaken, he shall be returned back again to prison for other forty days; if he escape, he shall have no benefit of the laws, but be excommunicated from all Christ's churches: and if any man have been security in his behalf, he shall make satisfaction for it according to right, and do penance till he make such satisfaction as his priest shall appoint.

The IId bears the title of The Immunity of the Church, of which we have already spoken in the ecclesiastical constitutions.

The IIId is concerning the breach of the king's suretyship, by the payment of a mulct of five pounds of Mercian larger money; but the violation of suretyship, or the peace, made to an archbishop, by a fine of three pounds; and if any one break or forfeit the king's pledge, or recognizance, he shall make amends, according to right and the breach of the suretyship, to a bishop or eolderman, by two pounds.

The IVth law is concerning the death of the king, or any other lord. If any one that either by himself alone, or by any other person, shall attempt against the king's life, he shall lose his life and goods; but if he will purge himself, let him do it according to the valuation of the king's head. The same is also ordained in all judgments concerning other men, whether noble or ignoble. Whoever conspires against his lord, shall lose both his life and estate, or else pay the valuation of his lord's head.

The VIIth law is against fighters in the king's palace. If a man shall fight, or draw a weapon in his house, his life shall lie at the king's mercy whether he will pardon him or not: but if the offender flee,

and he be taken, he shall redeem his life with the price of his head, or be fined according to his offence.

The IXth law ordains what mulct a man shall pay that kills a woman with-child, which was to be according to the value of her head; and he was also to pay for the child in her womb half as much as for a living one, according to the quality of its father.

The Xth ordains what fines or amends every man shall pay to a husband for committing adultery with his wife, which was to be increased according to the estate or quality of him against whom the offence was committed.

The XIth, what mulct a man shall pay that wantonly handles the breasts of a countryman's wife, or offers her any violence, as by flinging her down, &c. though he does not lie with her.

The XXVIth law appoints what mulcts shall be paid by those who kill in troops or companies; and also to whom these mulcts were to be paid. If the slain innocent party were an ordinary person, that is, one whose head was valued but at two hundred shillings, he that slew him must pay the value of his head, and a fine besides to his kindred; also every one that was in the company must pay thirty shillings: which penalty was still to be increased according to the value of the estate of the party slain, so that as to the penalty for the death of a man valued at twelve hundred shillings, every one that was present must pay an hundred and twenty shillings, and the man-slayer himself the price of his head; and a fine besides: but in case the whole company shall deny that he gave the mortal wound, all of them are to be impeached together, and to pay both the value and the fine besides.

The XXVIIth appoints what share of the mulct or satisfaction a man's kindred on the mother's side shall receive, in case he has no kindred on his father's side; and what share those of his guild or fraternity shall pay, in case he have committed manslaughter in a quarrel, viz. the former shall pay a third part, and the latter, one half, of the price of the head of the party slain.

The XXVIIIth law was made against public defamers, or spreaders of false news; whereby is meant spreaders of false news against the government: and commands that such a one, being convicted, should suffer no less punishment than the cutting out of his tongue, except he redeem it by paying of the value of his head, and even then, he was afterwards to be esteemed of no credit.

The XXXth ordains, that merchants, when they land, shall bring such as come on shore with them before the king's officers in folcmote (or county-court), and there declare their number, that they may be ready to produce them, to answer any thing that may be demanded of them in the said folcmote: and that if they happen to bring many strangers on shore, that they also certify this to the king's officer in that said assembly, that so they may be forth coming.

The XXXIst inflicts upon him that shall put a ceorle's man, that is, an ordinary countryman, without any fault into bonds, a mulct of ten shillings; upon him that beats such a one, twenty shillings; if he hang him up aloft, thirty shillings; if he cut off his hair to expose him like a fool, ten shillings; if he shave his head like a priest, yet

bind him not, thirty shillings; and in case he only cut off his beard, twenty shillings; but if he bind him and shave his hair like a priest, then sixty shillings.

The XXXIVth law imposes upon him that shall strike or fight in open court, before the king's eolderman, both the value of his own head and such a fine besides as shall be thought fit; and also an hundred and twenty shillings, to be paid to the eolderman by him that by thus drawing his weapon shall make any disturbance in the folcmote: if the eolderman was not present, but the fact was done before his substitute, or the king's priest, then a fine or amerciamment of thirty shillings.

The XXXVth ordains what satisfaction shall be made for breach of the peace in any other place: as, for example, he that fights in the home-stall of a countryman, shall pay the said countryman six shillings; if he drew his own sword but struck not, half as much: which penalty also was to be increased according to the estate or quality of him upon whose ground the assault was made; so that if he fought in the house of one that was worth six hundred shillings, he was to pay three times as much; if one worth twelve hundred shillings, then the amends was to be twice as much as the former.

The XXXVIth law, of burhlice, or breach of the peace in a town, confirms that part of king Ina's laws concerning that matter, in imposing upon the offender for the breach of the peace in the king's town or city, by setting the mulct of an hundred and twenty shillings: but if it be done in the archbishop's town, then ninety shillings; in that of a bishop, or eolderman, sixty shillings; in the town of a man valued at twelve hundred shillings estate, thirty shillings; but half as much if done in a village of one worth but half the sum.

The XXXVIIth is that law concerning beland, by virtue whereof he that holds lands left him by his ancestors, was forbid to alienate it from his kindred to others, in case it could be proved, by writing or testimony, before the king or the bishop, his kindred being present, that the man who first granted them forbid him all alienation, and laid on him this condition. — This law is now altered, for entails can be cut off by fine and recovery; and we have too many instances of the caprices of imbecility and the moroseness of peevish old age disinheriting youth for the very vices and follies which they themselves were addicted to in their younger days.

The XXXVIIIth law, concerning quarrels or deadly feuds, which since it gives a strange licence for men to take satisfaction on their enemies, even without the presence of any officer, I shall likewise set down. First, it forbids any man to attack his enemy if he find him in his own house, except he first demand of him satisfaction; but, if he have force enough, he may besiege the house for seven days, yet he shall not assault him if he stay within; but if he will then surrender himself and his arms into the defendant's hands, he may keep him thirty days without hurt; but then shall leave him so to his kindred or friends. In case he fly to a church, the honour of the church is to be preserved. But if the demandant have not strength enough to besiege him in his house, he may desire the assistance of the eolderman; which if he cannot obtain, he must appeal to the king before he can assault him. If any one by chance light upon his adversary, not

knowing that he keeps himself at home, and he will deliver up his arms to him, he shall keep him safe thirty days, and then deliver him to his friends; but in case he will not deliver up his arms, then he may fight with him: but if he be willing to deliver up himself and his arms to his enemy, and any other man sets upon him, such a man shall pay the value of his head if he kills him; or give satisfaction for the wounds, if any be given him, according to the fact, besides which he shall be fined and lose all that may fall to him by reason of kindred.

The XLth sets a certain valuation upon every limb and member, as well upon every person from a king to a bondslave: of this see more at large in the laws of his successor Athelstan.

EDWARD the ELDER.

ALTHOUGH this prince was greatly inferior to his father Alfred, both in personal and political qualifications, nevertheless he extremely well seconded the principles of policy and government which had been laid down by that great legislator. We have still, in Mr. Lambart's collection, an account of this prince's laws, of which the following is an abstract.

In the preface he strictly charges and commands his officers, that, as much as in them lies, they do justice according as it stands in the Judicial Book (supposed to be some book of precedents or judgments), and, without all fear, boldly dispense common right to all men; and that they set and appoint certain days for determination of the several causes depending before them.

The Ist law is concerning traffic; and, in way of confirmation of the IVth article of the league made between his father and the Danish king Guthrun, ordains, that if a man will sell any thing, he shall have one to vouch and make good the sale; and that no man buy any thing without the town, unless he have the port-reeve for witness, or some other man worthy of credit; otherwise he shall undergo the penalty of contumacy against the king. The vouching or warranty shall also proceed from one to another till it end with him who first sold it. The rest of this law, containing in what cases the buyer, and likewise the demandant, shall find sufficient testimony or oaths of the true buying of the goods so bought, being long, I refer the reader to the law itself.

The IId of king Edward's laws ordains, that whosoever denies another man his right in bocland* or folcland†, demanding it before the king's sheriff, whereas he hath no right in either, shall pay to the king for the first offence thirty shillings, and as much more for the second; and if he offend the third time, then to pay an hundred and twenty shillings for his contumacy against the king.

The IIIId adjudges, that for one who had forsworn himself, or borne false witness, no credit shall be given to him for the time to come, but that he be put to ordeal in all cases where his oath is required.

The IVth declares, that king Edward, lying at Exeter once, consulting with his wise men by what means he might best provide for the public peace and tranquility, it then seemed to them, that what he had commanded was too remissly executed; therefore he now required all that will amend and

* Or lands held by charter.

† The lands of the common people, in the time of the Saxons.

reform these things, and would by him enjoy common society, that they would prosecute with their utmost hatred the same persons as he did, both by sea and land; and that they would take care not to do wrong or injury to any man: he that doth contrary, let him, as was formerly ordained, pay thirty shillings to the king; and if he offend the second time, as much more; if the third, an hundred and twenty shillings.

The Vth commands that the reeve or judge who doth not justice according to the testimony of such as are summoned, pay a hundred and twenty shillings for his contumacy against the king.

The VIth wills, that if a servant be accused of theft, he that recommended him to his master, or other of his friends, if he have any, be sureties for him that he discharge himself of what is deposed against him: and if he have none to interpose in his behalf, those that are concerned may seize his goods; but if he have neither goods nor friends, let him be taken into custody.

The VIIIth law enjoins, that no man knowingly and voluntarily have peace with, or harbour, one that is condemned for any crime: he that acts contrary, and thereby breaks his oath and the faith given by him and all the people, let him undergo the mulct prescribed in the Judiciary Book; which if he refuse to pay, he is to be deprived of the king's favour and all other men's friendship, and farther, forfeit all his estate: and if any afterwards relieve him, let him also incur the penalty expressed in the said book. And farther, whosoever shall relieve a fugitive, either in this country, or in the eastern or northern parts of the kingdom in East England and Northumberland, let him be punished as by the articles of peace is ordained.

The IXth provides, that if one deprived of his liberty for stealing, steal again, so that all his kindred forsake him, and none will engage for him, he is to be set to servile and hard labour, as opportunity shall offer, and his kindred shall lose the valuation of his head.

The Xth law forbids any man to receive another man's servant without his leave, and that he hath fully satisfied his master; he that doth otherwise shall be punished as contumacious against the king.

The XIth and last commands, that about every fourth week every sheriff or judge shall hold the gemot, or assembly, and administer justice to every man, and determine all causes at the days appointed: if he do otherwise, he is to be punished as was before said.

A T H E L S T A N.

THE natural parts of this prince, if we may believe William of Malmesbury, were very little inferior to those of his greatest predecessors; though the toils of war gave him but little leisure for study. Military events, therefore, make the greatest part of his history; but he was far from being deficient in civil policy, as the following abstract from his laws, collected from Mr. Tyrrel, will sufficiently vouch.

After a religious preface, the Ist law is against thieves; requiring, that if a thief be taken in the fact, no man shall spare him, if he be above twenty years old, and had stole any thing above the value of eight pence: if any one do contrarily thereunto, he shall pay the value of the thief's head, or make amends for the fault; and yet the

thief himself shall not be spared, who, if he contumaciously make resistance, or fly for it, shall find no favour. A thief cast into prison, shall stay there forty days, and then, after the payment of an hundred and twenty shillings, be discharged; but his kindred must give security for his future good behaviour: after which, if he steal again, they must either pay the value of his head, or bring him back to prison. And in case any one resist, he shall pay to the king, or to any other whom it concerns, the value of his own head: and if any stand by him (defend him) he shall pay to the king one hundred and twenty shillings.

The VIth law is against witchcrafts, enchantments, and such like deeds that procure death: that if any one by them be made away, and the thing cannot be denied, such practicers shall be put to death: but if they endeavour to purge themselves, and be cast by threefold ordeal, they shall lie in prison an hundred and twenty days; which ended, then their kindred may redeem them by the payment of an hundred and twenty shillings to the king: and farther, pay to the kindred of the slain the full valuation of the party's head; and then the criminals shall also procure sureties for their good behaviour for the time to come. The same punishment shall be inflicted on incendiaries, and such as rescue thieves: nay such as endeavour to rescue them, though no man be wounded in the attempt, shall pay a hundred and twenty shillings to the king.—As for enchantments mentioned in this law, the Saxon word is Liblacum, which signifies the art of conjuration, or witchcraft; not all in general, but that sort of it called properly fascination or enchantment, used by certain ligatures, fasciæ, or bands.

The VIIth ordains concerning simple ordeal; that if one, accused several times of theft, be cast by it, and have nobody to be surety for him, he shall be sent to prison, and thence freed by his kindred, as before said.

The Xth forbids any commutation of goods, unless in the presence of the king's reeve, the priest of the town, or the lord of the soil, or some other creditable person, under the penalty of thirty shillings, and the forfeiture of the things changed, to the lord of the soil: and if any shall bear witness, he shall be infamous, and no credit given to him ever after, and also shall forfeit thirty shillings.

The XIIth confirms the first part of the laws of king Edward the Elder, decreeing that no man buy any thing out of a town, which exceeds the value of twenty pence; and within the town, unless in the presence of the port-reeve or some other creditable person, or else in the presence of the king's sheriff or justice, in folcmote.

The XIVth appoints, through all the king's dominions, that one and the same money be current: and that it shall not be coined out of some town; and if any minter or coiner shall debase the coin, he shall lose his hand, which, being cut off, shall be affixed to the workhouse: if any be accused of adulterating money, and will purge himself, he shall by the ordeal of hot iron cleanse his hands of such wickedness; but if by ordeal he be cast, then he shall be punished as now was said. Then follow the places appointed for public mints, viz. at Canterbury there shall be seven minters or coiners, whereof four for the king, two for the bishop, and one for the abbot: at Rochester there shall be three; whereof

whereof two for the king, and the third for the bishop: at London eight, at Winchester six, at Lewes two, at Hastings one, at Chichester one, at Hampton two, at Werham two, at Excester two, at Salisbury as many, and in ever other great town one.

That which follows, commands that for every every plough a man shall keep two well-furnished horsemen.

The XVIIIth forbids horses to be transported, except such as are sent abroad as free gifts or presents.

The XXth law enacts, that if any one absents himself from folcmote thrice, he shall be punished as contumacious against the king, if so be that the holding of the assembly was declared a sevensight before; in such case, if he refuse to do right, and pays not his mulct to the king, the ancient men of the country are to go and seize upon all that he hath, and take security for his appearance.

The XXIIId, in confirmation of a former law, requires that no person receive another man's man (as this law words it) into his family without leave first obtained of his master; he that doth otherwise shall restore the man, and pay the mulct of contumacy against the king. And no man is to put away his men, accused of any crime, till they have first made satisfaction.

The XXIVth is concerning traffic, and, in confirmation of former laws, ordains, that if a man buy any thing with witness, which another man challenges for his own, the seller shall make it good and secure the bargain, whether he be bond or free. But on the Lord's day no market shall be held, under penalty or forfeiture of the wares, and a mulct of thirty shillings besides.

The next thing that follows at the end of these laws relating to the civil state, is the valuation of men's heads, which we have often heard mentioned, by these laws, but never yet to what it particularly amounted. First then, saith the text, the valuation of the king's head, according to the English common laws, is thirty thousand thrymses*, whereof fifteen thousand are properly the value of his head, the rest being due to the kingdom; so that the latter fifteen belonged to the nation, the former to his kindred. An archbishop's and an earl's weregild (as the Saxons called the valuation of his head) is fifteen thousand thrymses: a bishop's and eolderman's, eight thousand: a general's of an army, or an high-marshal's, four thousand thrymses: the valuation of a spiritual thane, or priest, as also of a temporal thane, was two thousand thrymses: that of a countryman, or ceorl, by the Danish law, two hundred and sixty-seven thrymses: but if a Welshman grow so rich as to maintain a family, have land, and pay a yearly rent to the king, he shall be valued at an hundred and twenty shillings; if he possesses half a hide of land, at eighty shillings; if he have no land, yet if he be a freeman, the value of his head shall be seventy shillings. If a ceorl, or countryman, be so wealthy as to possess five hides of land, in case he be killed, the price or value of his life shall be two thousand thrymses; but if he come to have a corselet and helmet and a gilt sword, though he have no land, he shall be accounted a sithcundman†; and if his children, or grand-children shall grow so rich as to possess five hides of land, all their posterity shall be reckoned as so many sithcundmen, and be valued at two thousand

thrymses. The Mercians value a countryman at two hundred shillings; a thane, at twelve hundred. They were wont to equal the single value of the king's head with six thousand thanes, that is, thirty thousand sceatas, for so much is the value of the king's head, and as much more must be paid as a recompence for his death; the value of his head belongs to his kindred, and the compensation of his death to the people. He that is valued at twelve hundred shillings, his oath shall be of the same esteem as those of six countrymen; for where such a one is slain, six countrymen would satisfy over and above for the value, therefore the value of him and all of them shall be the same. By the English law, the oaths of a priest and a thane are of the like esteem.

This valuation was called in the Saxon language, Weregild.

We find the Saxon money thus calculated by Mr. Camden: a peninga (or penny) three of our pence; a shilling, three peningas, or fifteen pence; a pound, forty-eight shillings, or three of our pounds: manca, mancusa, or mancuse, or marca, twelve of our pence; manca of gold, thirty peningas, or seven shillings and six pence.

EDMUND I.

IN the preface to this prince's laws, translated by Brompton and Lambart, we are told, that at the solemn feast of Easter, the king had held a great council at London, as well of ecclesiastics as laics, where were present Odo and Wulstan, archbishops, with many other bishops, to consult for the good of their own souls, and of those that were committed to their care and government; at which synod or council were enacted several laws: but they being six in number, of mere ecclesiastical concernment, as for paying tythes, and against fornication with nuns, and perjury, I omit them. Then follow, in Brompton's copy, seven other constitutions, of civil concernment, said to have been made by the king, his bishops, and wise men, at Cullington, not extant in the Saxon edition.

The Ist of these requires an oath of fidelity to be taken by all to king Edmund, in like manner as a man ought to bear faith to his lord, without any controversy or sedition, both in public and private; to love whom the king should love, and to hate whom he should hate: and before the oath be given, that no man should conceal a crime in his brother, or neighbour, more than in a stranger.

The IId, concerning the apprehension of thieves, enjoins, that if it be known for certain where a thief is, the twelfhind and twihind men (the former worth twelve hundred, and the latter two hundred shillings of estate) should combine together, and take him either alive or dead. But in case any man take up a mortal feud against another; for so doing he is to be esteemed as the enemy of the king and all his friends; and if any one refuse to assist in his apprehension, he shall forfeit to the king an hundred and twenty shillings, and to the hundred, thirty shillings.

The IVth enjoins, that if several thieves do steal, the eldest of them shall be hanged, and the rest be whipped thrice, and, for an example, have the little finger cut off. This I take notice of, because it is the first law whereby thieves are expressly or-

* According to sir Henry Spelman, valued at three shillings; while Mr. Selden makes it to be about a groat.

† That is, a gentleman, or one qualified to do knight's service.

dered to be hanged, without being admitted to pay their weregild, or price of their heads.

The Vth and VIth, being against buying and receiving strangers cattle, I pass by.

The VIIth enjoins, that every person make his servants, and all that live within his peace, his district, and on his lands, to give security; and also, that all others of ill fame, who lie under accusations, should have security given for them: and what officer, thane, eolderman, or countryman, soever he be that refuseth to do according thereunto, shall forfeit a hundred and twenty shillings, and further be deemed worthy of such punishments as have been before mentioned.

After these follow seven other of king Edmund's laws, found both in Brompton's and Lambart's copies; before which we also find a preface, wherein the king signifies to all his subjects, both old and young, that he had most studiously enquired, in a solemn assembly of ecclesiastics and laics, by what means the Christian life might best be maintained; and that it seemed most convenient to them all, that he should cherish and procure love and mutual friendship through all his dominions; for they were much troubled at the unjust divisions and contentions amongst them. Therefore the king and they did now ordain,

Ist, That if hereafter one man kill another, he alone should bear the deadly feud or enmity of the kindred of the party slain, unless, within twelve months, by the assistance of his own kindred, he should pay the weregild or value of the slain man's head, of whatsoever condition he was; and then that they should not be taken for enemies: in the mean time they shall not relieve him, nor have peace with him; and if they do or have, they shall forfeit all their estate to the king. And he that shall kill any man, shall be taken as an enemy by all the kindred of the slain, and they may maintain deadly feud against him. And if any shall revenge himself upon, or prosecute any other of his kindred, besides the manslayer himself, he shall forfeit all he hath, and be taken as an enemy both by the king and all that love him. Which law was made because, before this, if one man killed another, the kindred of the slain had a mortal feud, and revenged his death upon any of the relations of the murderer, as they do among the Indians even to this day.

The IId denounces, that if a man fly to a church, or to the king's town, and there any one set upon him or do him harm, he shall be punished in the same manner.

By the IIId, the king expressly forbids that any fyghtwyte or manbote, that is, any fine for fighting or killing, be remitted.

By the IVth, the king openly declares that his house shall afford no shelter to him that hath shed blood, except he hath first made satisfaction to God and the kindred of the party slain, and done whatsoever was enjoined him by the bishop, in whose diocese the fact was committed.

The VIth enjoins, that he that breaks the peace and sets upon a man in his own house, shall forfeit all he hath, and his life to be at the king's mercy.

The VIIth and last of these laws is also concerning enmities or deadly feuds, declaring, that it is the duty of all wise men to suppress them, and prescribing the ways and means of doing it; as, first, that an indifferent friend be sent before to the kindred of him that is slain, to signify to them, that

he that killed him will make all due satisfaction; upon which the manslayer shall be delivered into his hands, that he may safely appear and give caution for the payment of the value of the dead man's head; which as soon as he hath done, the king's peace is next to be made between them. Then, after the end of one-and-twenty days he shall pay halsfage, according to Brompton's copy, or, as the Saxon text hath it, healfange, that is, as Mr. Lambart interprets it, that which was paid in commutation for the punishment of hanging by the neck, to the king or lord.

EDGAR.

THE civil character of this prince will be best known by his laws, an abstract of which is as follows. The preface to them is thus expressed: "This is the decree or law which king Edgar made, with the counsel or consent of his wites, or wise men, for the honour of God, the confirmation of his royal dignity, and for the good of his people."

The laws themselves begin with some ecclesiastical canons, the Ist of which is concerning the immunities of the church, and about paying tythes out of the lands of the thanes as well as of those of ceorles, or countrymen.

The IId is concerning the payment of tythes and first-fruits, as well where a thane had a church with a burying place, as also where he had not.

The IIId appoints the times the tythes should be paid at; and what remedy was to be had, in case they were not paid at the time when they were due.

The IVth ordains at what time of the year Peter-pence should be paid, and the penalty that should be incurred by those that should neglect to pay them in accordingly.

The last ordains every Sunday to be kept holy, and to begin at three o'clock in the afternoon on Saturday, and to end at break of day on Monday, upon the penalty appointed by the Judiciary Book. From this last law we may observe how early keeping the Sunday like the Jewish Sabbath began in England.

Then follow the secular or temporal laws: the Ist of which enjoins, that every man, poor or rich, enjoy the benefit of the law, and have equal justice done him. And for punishments, he would have them so moderated, that being accommodated to the divine clemency, they may be the more tolerable unto men.

The IId forbids appeals to the king in suits, except justice cannot otherwise be obtained: and if a man be oppressed, he may betake himself to the king for relief. And in case a pecuniary mulct be inflicted for a fault, it must not exceed the value of the man's head.

The IIId imposes a mulct of an hundred and twenty shillings to the king, upon a judge that passes an unjust sentence against any man, except such judge will take his oath that he did it not out of any malice, but only from unskilfulness and mistake in judgment; and in such case he is to be removed from his place, unless he can obtain favour of the king longer to retain it: and then the bishop of the diocese is to send the mulct imposed upon him, to the king's treasure.

The IVth commands, that whosoever maliciously shall defame another man, whereby he receives any damage,

damage, either in body or estate, so that the defamed party can clear himself in those reports and prove them false, then the defamer's tongue shall either be cut out, or he shall redeem it with the value of his head.

The Vth is to the same effect as in another law we have formerly cited, commanding every one to be present at the gemote, or assembly of the hundred: and farther ordains, that the burghmotes, or assemblies of the great towns or cities, be held thrice a year; and the shiregemotes, or the general meetings of the whole county, twice; whereat were to be present the bishop and the eolderman, the one to teach the people God's laws, and the other man's. From whence we may observe the antiquity of our charges at our assizes and sessions, which, no doubt, do succeed those discourses which the eolderman and bishop then made to the people upon the subjects above-mentioned.

The VIth requires that every man find sureties for his good behaviour; and in case any man commit a crime and fly for it, the sureties should undergo what should be laid upon him. If he stole any thing, and be taken within a twelvemonth, he should be brought to justice, and then the sureties should receive back what they had paid on his account. Hence we may also take notice not only of the antiquity of frank pledges, which had been long before instituted by king Alfred, but also the continuation of this law by king Edgar, from whence it appears that it was no Norman invention, introduced to keep under the English commonalty, as some men without any just cause have imagined.

The VIIth ordains, that when any one of evil report is again accused of a crime, and absents himself from the gemotes or public meetings, some of the court shall go where he dwells, and take sureties for his appearance, if they may be had; but if they cannot get them, then they should take him alive or dead, and seize on all his estate, whereof the complaining party having received such a share as should satisfy him, the one half of the remainder should go to the lord of the soil, and the other half to the hundred. And if any of that court, being either akin to the party, or a stranger to his blood, refuse to go to put this in execution, he should forfeit an hundred and twenty shillings to the king. And farther, that such as are taken in the very act of stealing, or betraying their masters, should not be pardoned during life.

The VIIIth and last ordains, that one and the same money should be current throughout the king's dominions, which no man must refuse: and that the measure of Winchester should be the standard; and that a weigh of wool should be sold for half a pound of money, and no more. The former of these is the first law whereby the private mints to the archbishops and several abbots being forbid, the king's coin was only to pass.

ETHELRED II.

ALTHOUGH king Ethelred was no great or worthy prince in his own person, yet, with the assistance of his wives, or wise men, who composed his great council, he enacted several excellent laws and constitutions. There are in Brompton's Chronicle, four bodies of these laws, made at as many several times, and in different places; whereof there are only two extant among the Saxon

laws published by Mr. Lambart. The laws comprized in the first division are six, and are said to have been made "at Woodstock, in Mercia, for the restoration of peace according to the laws of England."

The Ist is, that every freeman shall find sureties to be bound for him, that he shall do right in case he be accused.

The IId I shall omit, since it hath been already mentioned in the laws of king Edgar; only the latter end of it is very remarkable, to wit, The lord shall answer for his whole family, and be surety for the appearance of every person in it: and if any of his servants, after they are accused, run away, the lord or master shall pay his man's Were to the king. And if the master be accused as the adviser to, or promoter of his escape, he shall purge himself by five thanes; and if he do it not, he shall pay to the king his Were, and his man shall be an outlaw.

The IIIrd ordains, that a bondman being cast by the ordeal, shall be marked with a hot iron for the first offence; and being cast in the same manner for the second time, shall be put to death. Which law bears some resemblance to our present law or custom, whereby benefit of clergy is allowed for the first crime committed.

By the Vth, the king's reeve, or officer, is obliged to require sureties for the good behaviour of such as are of ill fame amongst all men; which if such a one obstinately refuses to give, he is to be put to death, and is to be buried in an unhallowed place with malefactors: and if any one use force in his behalf to further his escape, he is to undergo the same punishment.

As for the next set of laws, they are said to have been at Venterig, or Wanating, now Wantage, in Berkshire, and for the increase of common peace and happiness, by king Ethelred and his wise men.

The Ist of them is concerning the keeping of the king's peace, as it was in the days of his predecessors; and for the punishment of the breach of it, in case of manslaughter, if it were in a gemote, or assembly of five boroughs, with the forfeiture of five pounds weight in silver: if in an assembly of a borough or town, by a mulct of seven hundred shillings (but how much this was is not known, for we have not now any true account of the standard of money at that time): if in a wapentake, by one hundred: and if in an alehouse a man be killed, with six half marks; if he be not killed, with twelve oares, for the value of which see sir Henry Spelman's Glossary. From hence, but especially from the law of king Ina, we may observe how ancient the liquor ale, and alehouses, have been in England; and also what commonly follows the abuse of it, quarrelling and breaking the peace in such places.

The IVth commands, that public meetings be observed in every hundred, or wapentake; and that twelve thanes, says Brompton, or twelve men of free condition, as Lambart reads it, being elderly men, together with their præpositus or chief, shall swear, upon the Gospels or holy relics, that they will neither condemn an innocent person, nor acquit a guilty one. From whence we may observe the antiquity of trials by a grand inquest of more than twelve men, even in the Anglo-Saxon times, and not introduced by William the Conqueror, as Polydore Virgil, an Italian, not much skilled in the antiquities of this island, hath delivered in his history.

story. And to confirm what we have here said, the third chapter of the league between king Alfred and Guthrun the Dane very much maketh out; which orders, that if the king's thane, or servant be accused of homicide, he shall purge himself, if he dare, by twelve other thanes: which may be seen at large in those laws themselves. And besides these, the reader, throughout the whole collection of the Saxon laws, may observe there is frequent mention made of clearing and purging by so many men summoned for that purpose, as sometimes by twelve, sometimes by fewer, and sometimes by more.

As for the trial by ordeal, it grew more in request in the reign of king Canute and his successors, being, indeed, originally a Danish custom. The rest of the laws of king Ethelred, made at Wantage, having many of them relation to this way of trial by ordeal, and containing many obscure terms, I omit; but since several of them may very well be referred to other former laws, I shall only select from among them such as are most worthy to be taken notice of here.

The XXIIId appoints what custom should be paid for ships and vessels of all sorts that unladed at Billingsgate. From whence it appears, that this was the ancient port of London, wines and all other commodities being here unladen.

The XXVIth imposes the same punishment upon such as wittingly receive, as well as on those that make, bad money. Whereby we may observe, that though the coining of bad money was not as yet made treason, yet it was punishable at the king's discretion, either by fine or death, as appears in the following law.

The XXVIIIth puts it in the king's power whether to fine, or to put to death such merchants as import counterfeit money: and further imposes upon all port-reeves that shall be accessary, the same punishment as upon those that coin false money, except the king think fit to pardon them.

CANUTE the GREAT.

THIS prince's laws begin thus: "This is the law or decree which Canute, king of England, Denmark, and Norway, hath ordained, with the consent of his wise men, at London, as well for the maintenance of his own royal dignity, as for the benefit of his people; and were made at Winchester in midwinter at Christmas:" which we may observe, was one of the stated times when all the great men of the kingdom, both clergy and laity, used of course to attend upon the king, whether he summoned them or not. But since these laws are very long, and contain a repetition of divers laws formerly made by his predecessors, I shall only here extract some of them, and refer the reader to Mr. Lambart for the rest.

The Ist of civil concernment, commands justice to be faithfully and indifferently administered both to poor and rich; and abolishes all unjust laws.

The IId requires mercy to be used, and that no man be put to death for a small offence.

The VIIIth ordains that all people keep the peace; and orders one and the same good money be current, and no man to refuse it: if any man debase the coin, his hands shall be cut off, without any redemption: and if a reeve or magistrate be accused that it was done by his consent, he shall purge him-

self by a treble purgation, and if he be cast, incur the same punishment with the offender.

The XIIth is remarkable, since it comprises all those forfeitures which the king challenges as due to himself in the counties of Wessex, except he please to confer them upon any other, viz. the penalties incurred for the breach of the peace, for breaking into a house, stopping up a passage, and forsaking a man's colours: if also, for any crime a man be outlawed, the restitution of him to his former state belongs to the king. He also that possesses bocland-land, conveyed by deed, forfeits to the king, let his lord be who he will: as also whoever relieves or harbours a fugitive.

The XIVth law appoints mulcts for divers offences; and particularly, that if any judge have, out of hatred or lucre, perverted justice, by the law of the English he is to pay to the king the value of his head, and also to be removed from his place, or redeem it, as the king shall please; except he plead that what he did was from ignorance, and then he must confirm this assertion by oath: and by the law of the Danes he is to incur the mulct of the breach of that law, except he can plead ignorance.

The XIXth renews the former laws of king Alfred, commanding every one of free condition to enter himself into some hundred or tything, that, being in a condition to purge himself, he may also be in a capacity to claim from another the value of his head; otherwise, none that exceeds twelve years of age, in case he receive any wrong, shall be capable of enjoying the same privilege with a freeman: and be he a master of a family, or a retainer, he must be entered into some hundred or other, and must find pledges or sureties for his appearance in case he be accused of a crime. Some great men, says the king, if they can do it, will protect their servants, giving out sometimes that they are free, other times that they are slaves; but we, not enduring any such unjust practices, enjoin, that every one of twelve years of age shall give security by oath, that he will neither steal himself, nor be accessary to the theft of another. Thus doth he revive what king Alfred had before ordained, that no freeman should be out of tything, or live at random without the most efficacious tye of suretyship; and to what was enacted before adds this caution of twelve years, beyond which, for the public peace and security, none were to live without being received and admitted into some hundred or tything.

The XXth law of king Canute so far indulges a man, unblameable and of good repute, who never brake his oath in the hundred, nor was cast by the ordeal, that his single purgation should be accepted; but a man of contrary reputation shall either be compelled to take his single oath in three hundreds, or a threefold one, according to the custom of that court; or be put to the ordeal: but a single purgation is to be made with a threefold preparatory oath.

By virtue of the LIth law, whosoever conspires against the king, or his lord, shall forfeit life and fortune, except he purge himself by the threefold ordeal.

The LXIst declares breaking down or burning houses, as also theft, manifest murders, and betrayers of one's lord, according to human laws, to be crimes for which there is no bote or satisfaction.

to be made by way of mulct or compensation; which is an alteration of the former laws, by which all these crimes were redeemable by money.

The next wills that mercy may be shewn as much as may be, to such as truly and unfeignedly amend their ways.

And by that which follows, the king declares he will put a difference between small and great, rich and poor, young and old, infirm and healthful; forasmuch as some men may offend out of a kind of necessity, and that a distinction is to be made between a forced and a voluntary act; therefore he promises to succour where there is most need of his help.

The LXVIIth contains an act of grace of the king to his subjects, whereby he relieves such as were formerly oppressed: he also enjoins all his officers that they make provision for his house out of his own lands and tillage, and that they compel no man to furnish him with any provisions in this kind, upon pain of paying the value of their heads if they impose any mulct upon refusers.

The LXVIIIth ordains, that in case any man by neglect or sudden death depart this world intestate, his lord shall take nothing of his goods except what is due to him, as an herriot; but all this is to be distributed by his judgment, to the wife, children, and next kindred, justly according to their several rights.

The LXIXth settles the rates of all herriots to the king, ordering that the herriot of every one be according to his dignity; as first, that of an earl, eight horses, whereof four with furniture and four without; four helmets, as many corselets, eight spears, and as many shields, four swords, and two hundred mancuses of gold: that of the king's chief thane, four horses, whereof two with furniture and two without; two swords, four spears, and as many shields, one helmet, one corselet, and fifty mancuses of gold: the herriot of an inferior thane, an horse with furniture and arms; or, among the West Saxons, the sum of money that is paid, called halfange, in Mercia and East Anglia two pounds. But among the Danes, the herriot of a king's thane, who has free jurisdiction, is four pounds; and if he be nearer to the king, his herriot is two horses, whereof the one with furniture and the other without, a sword, two spears, as many targets, and fifty mancuses of gold: but the herriot of a thane of the lowest condition is two pounds*.

The LXXIst requires widows to continue in widowhood for the space of twelve months, and then permits them to marry. If a woman marry before her twelve months be out, she shall lose her dower, with all that her husband left her, which is to come in such case to the next of kin: and he that marries her, shall pay the value of his head to the king, or to whomsoever he assigns it.

The LXXVth law deprives him of life and estate, who, either in an expedition by land or sea, deserts his lord or fellow-soldier; and in such case the lord is to have back the land he gave him; or if it was bocland, it goes to the king. But in case any one die in fight in the presence of his lord, either at home or abroad, his herriot shall be remitted, and his children shall succeed both to his goods and lands, and equally divide them.

The LXXVIth gives him liberty that hath defended his land and cleared it from all doubts and incumbrances in the sciregemote (or county-court), to possess it quietly while he lives, and to leave it to whom he pleases when he dies. From whence we may observe, that, before the Conquest, men might bequeath their lands by their last will.

The LXXVIIth gives liberty to every man to hunt in his own grounds; but forbids all men, under a penalty, to meddle with the king's game, especially in those places which he had fenced by privilege.

During the reign of HAROLD HAREFOOT we have only one law, mentioned by Mr. Selden, which was,

"That whatever Welshman coming into England without leave, was taken on this side of Offa's Ditch, should have his right hand cut off by the king's officers."

We shall therefore pass on to those of

EDWARD the CONFESSOR,

AS they are to be met with in Hoveden and Lambart's collections; but it is not to be taken for granted, that Edward was the author of those laws, or that they owe their original to his reign. All we know for certain, is that they were, with some variation, the rules of his government, and the same which William I. and his successors were obliged afterwards to confirm. Though it is now impossible to assign the several reigns to which they owe their origin, that this was the case appears from the preface to those laws, which is as follows: "King William, in the fourth year of his reign, after the conquest of England, by the advice of his barons, caused the English noblemen that were men of knowledge and learning in their own law, to be summoned together through all the provinces of England, that he might from themselves hear their laws, rights, and customs: therefore, twelve men chosen out of every county of the whole nation, did make oath before the king, that they would make known the sanctions of their own laws and customs, proceeding in a direct way without swerving to the right hand or to the left, without making omissions, additions, or prevaricating variations: therefore, beginning with the laws of the holy mother church, because by her the king and kingdom stand upon a solid foundation, they declared her laws, liberties, and protection, saying."

The Ist of these laws confirms all clerks and scholars in their goods and possessions.

The IId appoints the times and days of the king's peace, making it more penal to violate it from the Advent of our Lord to the Octaves of the Epiphany; and in like manner from Lent to the Octaves of Easter, eight days after that feast, and from our Lord's Ascension to the Octaves of Pentecost; and also on Saturdays from nine o'clock to the Monday morning following: likewise on the vigils of all holidays as well as on the holidays themselves. As also in parishes when the feast of the faint, to whom the church is dedicated, is kept;

* The word Herriot, or, as the true Saxon word is written, Heregiate, signifies, furniture for war given by the vassal to his lord; probably at first designed for the driving away thieves and robbers, which abounded when the Danish or northern nations so frequently invaded the land. For though

the word Here, does in the Saxon language signify an army, yet it is, in our Saxon authors, when without composition, generally taken in the worse sense, for invaders and spoilers: a lawful army, collected by the king for the defence of the nation, being called by the name of Fryd.

so that if any one come devoutly to the celebration thereof, he was to have security in going, staying, and returning home: and besides in many other cases, too long here to set down.

The III^d is not material.

The IVth is as follows: wherever pleas are held in the court of the king, or of any other person, if the bishop's messenger come thither, and open a cause that concerns holy church, let that be first determined; for it is fit that God be every where honoured before others.

V. Whoever holds any thing of the church, or hath his mansion upon church-ground, shall not be forced to plead in any court but the ecclesiastical, although he have incurred a forfeiture; unless justice there fail, which God forbid.

VI. Whenever a guilty or noxious person flies to the church for safety, let him be seized by no person after he is in the church-yard, except by the bishop or his ministers. And if he flies into the house or court of the priest, he shall have the same protection as in the church, so that the house or court stand on church-ground. If the refugee be a robber or thief, let him restore what he hath taken away, if he have it in his keeping; if he have wholly destroyed it, let him make full restitution to the injured person out of his own goods, if he has wherewithal. If the robber has made it his practice, and has often escaped to the church or the house of some priest, let him, when he has restored what he has stole, forswear the province, and not return to it; and let no one dare to entertain him if he do return, without the king's licence.

VII. If any one violently infringe the church's protection, it concerns the bishop's courts: if the guilty person decline, or arrogantly despise, their sentence, let complaint of it be brought to the king, after forty days; and the king's court shall put him under security and pledges, if he can find them, to make satisfaction, first to God, and then to the king and church: and if he cannot be found within thirty-one days, either by his friends and neighbours, or by the king's court, the king shall outlaw him by the word of his own mouth; but if afterwards he be found, and can be taken, let him be surrendered to the king alive; or if he defend himself till he be killed, let his head be yielded to the king; for from the day of his outlawry his head is a wolf's head; and this is the general law to all that are outlawed.

The VIIIth and IXth relate to the institution and payment of tythes, and have already been given under the ecclesiastical transactions of this prince's reign, p. 147.

X. On the day there is but one ordeal, let the bishop's ministers, with his clerks, come thither, and likewise the king's justice, with lawful men of the province, to see and hear that all be done with equity: and let all those whom the Lord is willing to save by mercy, not by merits, be acquitted, and depart in peace: and let the king's justice judge them, whom their own guilt, and not the Lord, condemns. Let those barons who have a court of their own, deal with their own men in such a manner as not to sin against God, nor to offend the king. And if a plea between men that belong to other barons, happen in their courts, let the king's justice be present at it; otherwise the plea can have no final issue. If any barons have no judicatures, it must be determined

at the next church where the king's judicature shall be, in the hundred where the plea was held, with a saving to the right of the barons.

XI. Every one that hath thirty pennyworth of living stock in his house of his own, by the law of the English, and half a mark by the law of the Danes, shall pay St. Peter's penny. Now that penny ought to be demanded at the feast of the apostles Peter and Paul, and to be levied at the feast called ad Vincula, so as not to be detained beyond that day. If any do detain it, let complaint be made to the king's justice, because this penny is the king's alms: let the justice cause the penny to be paid, and the forfeiture to the bishop and the king. If any one have more houses than one, let the penny be paid from that house where he was resident at the feast of the apostles Peter and Paul.

The XIIth never could be intended for a law, because it neither commands nor forbids any thing; it seems, however to have been penned by Glanville, and is a piece of curious history, therefore it deserves a place here.—The payment of Danegelt was first ordained against the pirates, for they laid waste the country with all their might. To suppress their insolence, it was ordained that Danegelt should be annually paid, that is, twelve pence from every hide of land in the whole country, to hire men who might put a stop to their invasion. Every church was free, and acquitted from this Danegelt, and all the land, wherever it lay, that was the property of the church, because they trusted more in the prayers of the church than in the protection of their arms.—Here ends this law or assessment in the Cotton MS. but the rest thus go on: The church of the English preserved this liberty till the times of king William, jun. called Rufus, who, in order to keep Normandy, while his brother Robert, called Curthose, was in his expedition to Jerusalem, required an aid of the barons of England, then it was allowed to him, in this case of necessity, but not ordained or confirmed by law, that four shillings should be paid him out of every hide, the church not excepted: but while this levy was made, holy church, with a loud voice, demanded her liberty, but to no purpose.—Yet the reader will observe, that only hides, or ploughlands, were taxed by him, not manse or tythe.

XIII. The king's protection is manifold; for there is what the English call Peace given with the king's hand; another upon his coronation, which lasts eight days; eight days at Christmas, eight at Easter, eight at Pentecost; another is granted by the king's writ; there is another which belongs to the king's highways, Watling-street, Foss, Ike-nild-street, and Erming-street, two of which are extended the length of the kingdom, two the breadth: there is another, which belongs to the waters of the famous rivers. Manbote is the satisfaction to be paid to the lord for the murder of his man; that is, three marks to the king and archbishop, for one of their men by the law of the English; but twenty shillings to the bishop of the shire, and to the king's earl, and the steward of his household; ten shillings to other barons. From whence it appears, that peace of the king was a privilege or exemption granted to persons, not to be sued, or answer at law in any action brought against them, during certain solemn and stated times, and in certain of the most famous and frequented highways of the kingdom.

The XIVth declares, that all treasure-trove should be the king's; unless it were in a church or church-yard, in which case, if it were gold, it was all the king's, but if silver, one half was to go to him, and the other to the church.

The XVth treateth of murder, and declares, if any one was murdered, the murderer should be enquired after in the village or town where the body was found, and if he was discovered, to be delivered up to the king's justice within eight days after the fact was committed; and in case he could not be found, a month and a day was allowed for search after him, within which term, if he could not be seized on, forty-six marks were to be collected out of that town: and if it was not able to pay so much, then the hundred was obliged to make it good. And forasmuch as this payment could not be made in the towns, and great inconveniences arose, the barons, the freeholders of the county, took care that six-and-forty marks should be paid out of the hundred, which being sealed up with the seal of some one baron of the county, they were to be sent to the treasurer, and by him so kept sealed up for a year and a day; within which time if the murderer was found out, upon his being delivered to the king's justice, they were to be repaid; but in case within that time he could not be discovered, then were the kindred of the murdered party to have six of the said marks, and the king the other forty: if he had no kindred, the lord was receive it; and if he had no lord, then his sworn friend and companion: but if there were none of these, then the king should have the whole to himself.

The XVIth article shews us how this method of discovering murder, and punishing the hundred, came to be in use where the murderer could not be found, viz. that king Canute, when he had gotten England, and settled it in peace, and, at the request of the English barons, had sent back his army to Denmark, those barons became sureties that all the Danes that staid behind with him should in all things enjoy perfect peace; so that in case an Englishman killed any of them, if he could not clear himself by the judgment of God, that is, by water or iron, meaning the ordeal, justice was to be executed upon him; and in case he ran away, payment was to be made as is aforesaid.

The XVIIth declares the office of a king in these words: The king, who is the vicegerent of the supreme king, is appointed to this very end, that he may govern and defend his earthly kingdom, and the people of the Lord; and above all things should reverence his holy church, and extirpate evil doers out of it, which unless he shall do, not so much as the name of a king shall remain to him, but he shall utterly lose it, as pope John witnesseth. Then follows the occasion of this opinion of pope John's, viz. his having given it in answer to the letter which Pepin, and Charles his son, wrote, concerning a foolish king of France, whether they should still continue him on the throne, or not? which being no material part of the law, I omit. And then there is somewhat concerning barons, which have courts and customs of their own, in these words: The archbishops, bishops, earls, barons, and all those that have sac, soc, thol, theam, and infang theof*, shall have their knights' servants,

and all other sorts of dependents, under their friebourg, that is, should either have them forthcoming, or else should answer for them, that if they shall forfeit to any one, and a complaint be made against them, they must bring them forth, to have justice done them in their own court.

The XXIIId declares all Jews that were in the kingdom to be under the protection of the king, so that none of them could put himself in the service of any great man without the king's leave; for that the Jews, and all that are their's, are the king's.

By the XXIIId, king Edward forbad all usurers to continue in this kingdom: and if any one were convicted that he exacted usury, he should forfeit his goods, and be looked upon as outlawed.

After which follows, in Mr. Lambart's copy, another law, declaring the king's power, by virtue of his royal dignity, to pardon life and loss of limb; but with this proviso, that the malefactor make satisfaction as he hath injured, according to his power, and, besides, find sureties for his good behaviour; which if he did not, he was to be banished. From whence it may be observed, that this prerogative of pardoning in the king was not to extend to the prejudice of the party injured, or his kindred, to whom an appeal was hereby reserved. Concerning which the XIXth in like manner declares his royal prerogative to be such, that the king may set at liberty any captive or prisoner, whenever he comes in any city, borough, castle, &c. or if he meet with him in the way, by his mere word or command: yet was he, that was thus set at liberty, bound to make satisfaction to the injured party. But a murderer, traitor, or one guilty of such like crimes, although the king should pardon as to life and member, according to law, he shall in no wise stay in the country, but shall swear he will depart to the sea-coast within a stated time set him by the justice, and pass over as soon as he can get opportunity of a ship and wind: and in case any such prove perjured, and shall stay in the land beyond the time, any one that meets them may do justice upon them, and take away their lives. From whence may be observed the antiquity of the law for abjuring the realm for such great offences, to which the king's pardon did not then absolutely extend. The rest of this law, which only recites the penalties for the harbouring or favouring such malefactors, I omit.

The XXVIIth article gives leave to harbour a stranger or foreigner, whom in English they termed "couth or uncouth," that is, known or unknown, as a guest for two nights, in which space if he transgress, he that harboured shall not be answerable for him; but if any one be injured, and complaint is made that it was by the counsel and advice of him that lodged him, he shall, with two honest neighbours, purge himself as to the advice and fact, or otherwise shall make satisfaction. The reason whereof was, because after the third night, the law was such, that this stranger was to be looked upon as one of the family, and the master was to answer for him if he transgressed.

The XXVIIIth appoints how money and cattle brought into a town, and said, by him that brought them, to have been found, shall be disposed of, and who shall have the custody of them.

* That is to say, the privilege of holding courts for the trial of offenders within their own manors. For the particular signification of these words, see sir Henry Spelman's *Glossary*.

The XXXth enjoins, that those who have the king's peace, either by his hand or letters, shall take care not to injure others, under a double penalty.

The XXXIst declares the particular mulcts or penalties of those who should violate the king's peace above mentioned, and especially that of the eight days of his coronation, and of any of the feasts aforesaid; and who should have the forfeitures arising from thence, how much the king, and how much the earl, and how much the dean or the bishop in whose deanery the peace was broken.

The XXXVIth article directs, that after a man is killed as a thief or a robber, if any complaint be made by his nearest relations to the justice, that the man was wrongfully put to death, and lies buried among thieves, and that such relations offer to make it good, in such case they shall give security for so doing: and then it follows in what manner the party may be cleared in his reputation, and what satisfaction shall be made to his friends for it, in case it appears he was killed unjustly.

ARTS and SCIENCES.

HERE we must again turn our eyes to the great Alfred, who was alike the father and patron of every useful branch of learning and science, as he was of every wise institution in the kingdom he governed: being himself the finest scholar and the politest gentleman of his age, he could not but regret the low ebb to which learning of every kind was reduced in England in those days, so that, as we have already observed, there was hardly a person to be found who could translate a Latin epistle. He therefore resolved to give all possible encouragement to foreigners, who were men of letters, to come and settle in his kingdom; and the noble rewards he offered on this occasion soon drew to his court the most eminent in their professions, whose characters, as they were all or mostly churchmen, we have already given in considering the state of religion during this prince's reign.

But not thinking it sufficient to provide only for the present age, he extended his noble plan for the benefit of posterity, by erecting Oxford into a seminary of learning. Without entering into the much contested subject, whether Alfred was the first founder of this university, or whether he only made some additions to it, and enriched it by certain endowments, I shall content myself with abiding by what is incontrovertibly handed down to us; namely, that he built there colleges, or halls, one for teaching grammar, one for philosophy, and a third for divinity: these were, 1. Little University Hall endowed with competent salaries for twenty-six grammarians. 2. Lesser University Hall, for the maintenance of twenty-six students in logic and philosophy. 3. Great University Hall (now University College) wherein provision was made for twenty-six divines. From the Annals of Winchester we learn that the first professors in divinity were the two abbots St. Neots and Grimbald; Johannes Scotus in geometry and astronomy; Asserus for grammar and rhetoric; John, monk of St. David's, for logic, music, and arithmetic: and that these lectures were often honoured with the presence of the great Alfred himself, who, by his own example, encouraged the labours of those under him, and employed his royal pen in several works of literature, which might do honour even to the present age.

Alfred next turned his attention towards foreign and domestic commerce. With this view, to procure his subjects the benefits resulting from both these, he, with proffers of large reward, invited over many artificers from other countries, whom he employed in building ships of a larger burthen and more convenient for the transporting merchandize, than any that had hitherto been made use of. A

number of these he let out to the principal merchants, for the encouragement of traffick: this, in a short time, enabled his subjects to reimburse themselves for the expences they had been at, in helping to support the war against the Danes, those brutal invaders of their country, as also to retrieve the losses they had sustained from their ravages.

We have, in Hacluit and Purchas, a noble monument of his encouragement to navigation, and of his attempt to discover a north-east passage; and many of his ships traded to countries till then unknown.

From these beginnings his marine came to be established on so respectable a footing, that when Edgar came to the throne, about sixty years afterwards, he was capable of sending to sea, on a short warning, no less than four thousand eight hundred sail of ships.

As I have mentioned this great improvement of Alfred in sea-affairs, the reader will undoubtedly be well pleased to see an account of the English shipping in his days, as we have it from sir John Spelman.

"He was (says my author) the first that put to sea such a navy as was awful to strangers; begun the first mastery of the seas, and in the service of his shipping, and found both quiet and reputation. His navy began, not only for number of ships, so great as to keep watch upon all the coasts of the kingdom, but for the quality of them, such as over-matched any of those that at any time infested the seas. What manner of vessels they were, whether ships or gallies, does not fully appear, nor will I determine; but that they were of divers sorts, and that some of them were nearer ships, and others nearer the form of gallies, that I may safely avow; and that some of them were of an especial building, by his own appointment, we have already shewn; where it is not hard to collect that they were after the manner of great long gallies, for they were rowed with forty oars apiece and above, and were as long again, as high again, as swift again, and more steady in sailing than the best of the enemies ships. How they should be so exceeding high as to double the height of the Danish ships, when they went not with sails but oars, I cannot well imagine; unless that, for the better receipt of soldiers, and their greater advantage in fighting, which in those grappling sea-fights consisted wholly in the superiority of standing, they had a plain level deck above the room that the rowers sat in, and from thence, with great odds of advantage, annoyed those they set upon; otherwise their height, which so much advantaged them in fight, would as much disadvantage them in speedy rowing,

rowing. As for their steadiness, that argued their greatness and burden, whereby they drew the more water; which, though it were an hindrance in their speed, for the greater body the slower motion, yet that was borne out with an answerable number of rowers, which their length afforded: if this apprehension seem difficult, then may we reckon the height spoken of, to be meant by the height of their poops only, and not of the height of the whole sides of the ship; and so we may think them to have retained so much of the fashion of those of the Veneti, with whom when Cæsar fought, the height of their poops exceeded the tops of their fighting-turrets that were in Cæsar's ships: but those ships of the Veneti went not with oars, but with sails of leather; and these either only or chiefly with oars. If farther we enquire after the form of shipping used by the Saxons, Tacitus tells us, that the Suiones, which were part of the Suevians, as the Saxons were, used a kind of shipping, in the Baltic sea, very rude and plain, that was high before and behind, and made indifferent to go with either end forward, but forced only with oars, which they did not use in any constant fixed seats of rowing, but removed to and fro to any end or part of their ships, as occasion served, as we may see them do in our cock-boats or lighters. Those were slow for any service; though Tacitus counts the Suiones to be expert in shipping. Whether the Saxons came over in such vessels, and whether they continued the use of them, or found here a better form, I shall leave to the disquisition of others; it is sufficient for our purpose to shew, that whatsoever they formerly were, the king augmented the use of them, both in number and condition, over what they were before his coming to the crown."

Alfred, who had always the benefit of his people in view, thought it his duty to neglect no one thing useful in itself: to this end he encouraged all sorts of manufactures and their principal artists. He was the first who taught his subjects to make bricks, and to build their houses therewith, which were before only miserable huts of clay, thatched at the top; or, at best, of timber, rudely put together, without either ornament or security.

M A N N E R S and C U S T O M S.

THESSE differed so very little from what we have shewn them to be in the last period, that it would be only a repetition of former pages to extend our remarks to any length on this head. I shall, therefore, only observe in general, that the English were notorious for excessive drinking, which was introduced by the Danes: and for that blind subjection to the clergy in all matters of religion, which frequently proved the means of forging chains for themselves.

In the reign of Edward the Confessor, the language and manners of the French began to be introduced; but as those did not so strongly prevail till after the coming of William, duke of Normandy, to the crown, we shall reserve what we have to say on that head, till we come to treat of the manners and customs of the next century.

But before we close our remarks on the present period, we shall take notice of the ancient

As the use of clocks and hour-glasses was not yet introduced into England, he invented a measurement of time by the means of wax-candles, in the following manner: he ordered a certain quantity of wax to be made into six candles, each exactly twelve inches long, with the division of the inches marked on them distinctly. These being lighted one after another, did orderly burn four hours apiece, that is, every three inches one hour, so that the whole six candles lasted just twenty-four hours.

Glass being then a great rarity, or unknown in England, he fell upon a method of scraping white horn so thin as to leave it transparent; in these he inclosed his candles, and hence came the invention of lanterns: and it is highly probable that he made this expedient serve also for window-lights.

In the year 915, Edward the Elder, in emulation of his illustrious father, used the short interval that he enjoyed from the toils of war, in the propagation of arts, and distinguished Cambridge in the manner his father had done Oxford. Some ignorant zealots have stuck at nothing to enhance the antiquity of this university; but we may, upon the whole, reasonably believe that it was a seat of learning, though perhaps not reduced to the form it now has, under this prince; and that he was at great trouble and expence to adorn it with the ablest masters in different professions.

In the reign of Edmund I. Turkytel, that king's near relation and chancellor, was the first who cast a great bell in England, which he named Guthlac, agreeable to a custom of naming bells, that had been introduced, together with the benediction, as a defensive against thunder and lightning, in this century, by pope John IX. Turkytel's successor, taking the hint, added some more to it, and made the first tunable ring of bells in England.

From this period nothing happened worthy of notice, nor did any improvement in the arts or sciences distinguish any part of the long space of time to the reign of William. And therefore we shall now haste to close this division of our history with an account of the manners and customs of our Anglo-Saxon ancestors preceding the Conquest.

manner of espousals in England, which, for its curiosity, we have thought worthy relating.

In the first place it was provided, that in case a man had a mind to marry a maid or a widow, that the bridegroom should have a meeting with the woman's attorney, and claim her in the holy bond of marriage, in case she and her friends are so pleased. If this request is admitted of, the man is then to engage to retain her as his wife, and to give sufficient security for her good treatment. The bridegroom was then to inform the bride and her friends of his circumstances: and there is some reason to believe, from the words of the record, that he was obliged, before marriage, to make her a present in hand, as well as to make a reasonable settlement for her, in case of his death. We must observe here likewise, that our ancestors were very kind to the ladies in this respect; for the record says, that if she survives him, it is reasonable that she have a right to half

half his estate; and if she has children, to the whole, unless she should marry a second husband. For the performance of all this, both the bridegroom and his friends are to enter into a bond. The bride's kindred are then to deliver her over to the bridegroom as a wife. But what will sound very odd in modern times, her attorney, or the person who was principally concerned in making the match, seems to have been obliged to enter into a bond for the lady's chastity during her state of wedlock. If, after marriage, the wife should be carried into the land of another thane, her friends obliged the kindred of the husband not only to give fresh security for her good treatment, but in case of any forfeiture incurred by her, that they should pay the balance, if her own means were not sufficient for satisfaction. By which last clause

there is reason to believe, that the present made to the woman before or at the time of marriage, was in the nature of a separate alimony, to be enjoyed as her own property during wedlock.

The ceremony of conferring the order of knight-hood among the English at this time, was performed in the following manner.

The person to be knighted confessed himself to a priest, and spent the preceding night in watching and praying in the church. The next morning, before mass, he offered up his sword upon the altar; and, after reading the Gospel, the priest blessed the sword, and put it over the knight's neck; after which he received the communion, and was thenceforward deemed a true knight.

T R O M

The crowning of William I. commonly called the Conqueror, the first King of England of the Norman Race, to the Restoration of the Saxon Line under Henry II. forming an Era of Eighty-eight Years.

P A R T IV.

W I L L I A M I. A. D. 1066.

THE first right to the sovereign rule, which, under the name of York, was pitched upon to perform the ceremony. The monkish writers, indeed, affect to make Edward relate this office over his son; and ascribe to the blood of Cædric, the prime of these is Thora; but the many historical errors he is guilty of, which have been implicitly followed by his copyists, leave little room to depend upon their assertions. Thora himself, for instance, tells us that William was crowned in 1066, whereas almost every other historian of credit, and, indeed, the course of events, fully evince this occurrence to have taken place at Christmas 1066.

But notwithstanding the pretence which Alfred obtained, on this occasion, over his subject, it had no effect in winning him over to the Saxon side; nor was it worthy his character, or the duty he owed his country; for although William had been generally owned as heir and successor to Edward the Conqueror, and the former kings had been wont only to promise on their royal words to maintain the laws and the liberties of the subject, &c. Alfred obliged William to bind himself by solemn oath to perform these conditions; and this prince, who was too politic to do any thing that was likely to give umbrage to his new subjects, and being perfectly sensible that absolute power can dispense with those engagements that are not for its interest to observe, he readily consented: but, there may be yet another reason given for William's acquiescence on this head, namely, that it was agreeable to the custom of his own country, where every prince, on his first access-

THE foregoing part of our history we left William waiting in his station at Barking, till the necessary preparations were completed for enshrining his brow with that crown, to acquire which he had laboured through all the mazes of politics, and braved every danger in the field of battle. If we may be here allowed a retrospection of past events, we shall find that William, howsoever he may have been dignified with the title of the Conqueror of England, seems to have obtained his seat on the throne of this kingdom as much by the voluntary consent of the people of England as by his victories; for the only person who had a right to dispute that seat with him, having made a formal cession of his rights, what remained for the people to do, but to elect a leader to assert the freedom of their choice, but to acquiesce in the term of the times, and submit to him whom they found they could no longer resist? Thus insured of success, William set out for London, to be inaugurated. Sigward, Archbishop of Canterbury, was the person who, in virtue of his character and station, ought to have placed the crown on the head of this new monarch; but as at that time he laboured under the papal excommunication, and was more over well known to be no favourite of the Norman king, William did not chuse that he should perform this duty; probably out of fear of some unhappy consequence to the pope, who had so warmly espoused his cause. For these reasons, as also for his ap- proved ability to E. King Alfred, from whose collection of the throne William learned to establish his

T H E
H I S T O R Y
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E N G L A N D.

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But notwithstanding the preference which Aldred obtained, on this occasion, over his superior, it had no effect in winning him over to the least concession unworthy his character, or the duty he owed his country; for although William had been generally owned as heir and successor to Edward the Confessor, and that former kings had been wont only to promise on their royal words to maintain the laws and the liberties of the subject, &c. Aldred obliged William to bind himself by a solemn oath to perform these conditions: and this prince, who was too politic to do any thing that was likely to give umbrage to his new subjects, and being perhaps sensible that absolute power can dispense with those engagements that are not for its interest to observe, he readily complied: besides, there may be yet another reason given for William's acquiescence on this head, namely, that it was agreeable to the custom of his own country, where every prince, on his first accession

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MORTIMER'S
History of ENGLAND.



S. Wale delin.

C. Grignon sc.

WILLIAM THE
CONQUEROR.

sion to the throne, was obliged to submit to this ceremony.

The manner of his coronation is too curious to be passed over in silence in a work of this nature, especially as it is a proof, that whatever his behaviour was after he was settled on the throne, he by no means claimed it in right of conquest; for at this solemnity, Aldred, after a sermon or oration made to the English, asked them, if they consented that William should be crowned? Upon which they answered in the affirmative with one voice. The bishop of Constance then put the same question to the Normans and other foreigners there present, who returned the same answer: upon which Aldred set the crown upon his head.

The loud acclamations which ensued upon this occasion, had well nigh proved fatal to the inhabitants of Westminster; and, in fact, gave the first occasion to that disgust which the English entertained for the Norman government. The Conqueror, who was too cautious to trust himself in the power of the Londoners without having a sufficient security for his person, had, under the shew of greater state, surrounded Westminster abbey, the place of his inauguration, with a body of Norman soldiers; who, when they heard the tumultuous shouts of the people within the church, on placing the crown on the duke's head, mistook their acclamations for an uproar occasioned by a dispute or quarrel, and thinking their leader in danger, without taking any time to examine into the truth of the fact, they set fire to the city, and began to kill and plunder at random. Those within doors, equally ignorant of the reason of the tumult without, and seeing the flames and hearing the cries of those who ran to the church for shelter, were seized with a panic, different according to the different situations of those whom it affected. The English imagined some treachery was on foot, and that their victor king had doomed them to destruction, in order to fix himself more firmly in his new acquired dignity. William himself, trembling and aghast, thought of nothing but a plot to assassinate him, and fled with precipitation from his throne to the high altar for sanctuary. But all parties being soon convinced of their error, a stop was put to the confusion, and the flames were extinguished before they had done any considerable damage.

The first thing the new king did after his coronation, was to seize on the treasure Harold had laid up at Winchester, and which was very considerable. The greatest part of this he distributed in largesses among the principal officers of his army, and in gifts to churches and monasteries, in order to gain the reputation of a pious and religious prince. On this occasion he did not forget his good friend and abettor the pope, to whom he made several magnificent presents: at the same time he sent to Rome the standard of Harold, which had been taken in the battle of Hastings, as a kind of tacit acknowledgement that the obtaining the English crown had been in a great measure owing to the favourable intervention and approbation of the supreme pontiff, on his undertaking that enterprise. Having thus exhausted the monies which had been found in the late king's coffers, there was a necessity to fall upon some means to replenish them again, in order to provide for the exigencies of state. With this view William employed several of his trusty friends and emissaries to feel the

pulses of the people, and, if possible, to prevail on them to make their new sovereign a free gift, from an intimation that such an instance of their confidence and esteem could not fail of having the most agreeable effect upon the king's mind, and insure to them his goodwill and protection. These plausible arguments, artfully urged, had the desired effect; in a short time William received presents from all quarters of the kingdom, to a very considerable amount; the first beginnings of his reign seemed to promise his people a suitable return, and the deluded English fondly promised themselves that they were about to enjoy all the blessings of a just and mild administration: in which, however, they too soon found themselves miserably deceived, as will appear by the sequel.

To impress a favourable opinion of his moderation and equity, he began his reign by strictly enjoining his principal Norman officers to treat the English with humanity, and respect them as their brethren, and as one people with themselves: he issued orders, forbidding the soldiery to commit the least outrage on the inhabitants, under the severest penalties; and published an edict, formally confirming all the privileges of the people, and all the promises he had made in their behalf by his coronation-oath. This artful shew of love and kindness prepared the minds of the English for his next step, which was that of dividing among his followers the lands of all the noblemen who had appeared in arms against him, as well those that fell in the battle as those that survived: and to leave as little room as possible for murmurings or heart-burnings, from a suspicion of partiality in this distribution, he distinguished with particular marks of favour Edgar Atheling, to whom he granted many large possessions, and, as some authors say, created him earl of Oxford; but this latter circumstance has been strongly contested. He likewise conferred posts of great importance on many other English noblemen, particularly Edwin and Morcar, to whom he shewed all the regard that was due to their high station. And to convince the English still more fully of his good intentions, he projected matches between his officers and the English ladies, and at the same time provided husbands among the English for the Norman heiresses. He likewise granted a new charter to the city of London, confirming the privileges and immunities which the citizens enjoyed in the days of Edward the Confessor.

The Londoners, caught with this specious bait, reposed an unlimited confidence in him, and even permitted him, under pretence of better regulating the government of their city, to erect several forts therein, which, being garrisoned by Normans, effectually bridled the inhabitants, and bound them to the most pacific behaviour, from a regard to their own safety. At the same time he made such a disposition of his forces in quarters, that he had little to apprehend from any efforts the English could make to recover their liberties.

And now, that he might leave nothing undone that could tend to the securing of his new acquisition, he resolved upon a tour through some of the principal parts of England, under a pretence of inspecting the civil œconomy of the kingdom, curbing the turbulent, encouraging the quiet, and guarding against public danger, by extirpating the banditti and robbers, who infested the country and

and sheltered themselves in the woods, with which the kingdom was at that time almost covered.

To be held for a just, moderate, and equitable king by his subjects William thought not sufficient, unless, in compliance with the prevailing humour of the age, he also established in their minds an opinion of his religion and piety. With this view, which shewed him to be perfectly well acquainted with the dispositions of those with whom he had to deal, he built a church and monastery on the field where Harold was slain, in which prayers were to be made for the souls of those that had fallen in the fight; the high altar was erected on the very spot where Harold's standard had been taken up, or, as some say, where his body was found. The church he ordered to be dedicated to St. Martin, and the monastery to be called Battle Abbey*. This abbey was filled with monks of the Benedictine order, from the great monastery of Winchester, and exempted from episcopal jurisdiction.

It was now towards the beginning of Lent, in the year 1067, when William began to turn his thoughts towards his Norman dominions, which had, during the interval of his landing in England, been left in a defenceless condition, as he had taken with him in this expedition the greatest part of his troops. In order, therefore, to prevent any attempts on his patrimonial inheritance by the king of France, who might be tempted, by the opportunity of his absence, to attack them, he determined to go thither in person. But, previous to the taking this step, he thought it expedient to use every precaution to preserve his late acquisition: with this view, besides the forts he had built in London, he erected others at Norwich, Winchester, Hereford, Hastings, and Dover, all of which he filled with such of his Normans on whom he could best confide for their courage and attachment. He also disarmed all the English, and broke their militia. This act, which is ever that of all tyrants, he glossed over under a pretence of lenity, to ease them of their burthens, and of the expence of keeping arms ready for service on any emergence, and the trouble of appearing at the annual muster†. He took especial care not to forget the citizens of London in this exemption, whom he totally disarmed, and thus left the kingdom naked and defenceless to the mercy of a standing army of Norman foreigners. The command of this army, and the government of the realm, under the title of regents, he committed, during his absence, to his half-brother Odo, bishop of Bayeux, whom he had made earl of Kent, a prelate equally qualified for the management of civil, military, and ecclesiastical affairs; and to William Fitzosborne, a wise, brave, and experienced general, in whom he placed an entire confidence, and whom he had lately made earl of Arundel and Hereford.

Having thus settled every thing upon a safe footing in England, William embarked at Pevensey, in Sussex, and passed over into Normandy; and in the very act of his departure he gave an instance of his consummate policy, in carrying with him not only the hostages which had been delivered to

him upon the submission of London and the different parts of the kingdom, but likewise several of the principal nobility, whom he imagined likely, either from inclination or power, able to excite any commotions in his absence. The chief of these were Stigand, archbishop of Canterbury, Edwin and Morcar, earls of Mercia and Northumberland, the abbot of Glastonbury, Egelnoth and Waltheof, sons of earl Siward, both powerful noblemen, the one in Kent, and the other in the North of England: and to strike at the very root of his apprehensions, to these he added Edgar Atheling, whom he wisely judged it was not safe or prudent to leave behind in a kingdom to which he had an undoubted title, and whose people loved him to a degree of adoration; consequently might be easily worked upon to hazard an attempt in his favour, should his name be made use of, or he be prevailed upon to put himself at their head. His pretence for taking these great men along with him, was to do them honour, as his most intimate friends and counsellors, and the brightest ornaments of his court: and, indeed, he treated them all with the greatest exterior of respect, particularly Stigand, whom he always, saith Malmesbury, accosted with the title of Father, rising from his seat in all assemblies when he entered, and omitting no ceremony or honour that was due either to the dignity of his person or the sacredness of his character.

He was received in his Norman dominions with all possible demonstrations of joy, and kept his Easter in the abbey of Feschamp, whither the king of France, who had conceived an high idea of William's fortune and success, sent Rodolph, his father-in-law, with a most splendid retinue, to congratulate him on his late victory and coronation. William, resolving not to be out-done by his brother of France in magnificence, affected to shine out in his full lustre on this occasion; and the richness of his own dress, and those of his attendants, added to the vast profusion of gold and silver vessels, astonished the French so much that they could hardly give credit to their own senses, but thought the whole a delusion of the fancy. But no part of what they beheld struck them with such surprise and pleasure together, as the comeliness of the English, whose faces and shapes, to which they had hitherto been in a manner strangers, seemed formed for patterns of beauty and elegance. As this is the testimony of a French author‡, it is the less to be suspected.

But the pleasures in which William indulged himself among his native subjects were soon disturbed by the news he received from England, where he found all the precautions he had taken to establish tranquility had been rendered ineffectual, through the behaviour of the regents, who had, either themselves or by their officers, miserably oppressed the English committed to their charge, by loading them with the most grievous exactions, and exerting such an arbitrary rule as the free and independent spirits of that people could in no wise brook. And here we find a strange disagreement between our historians, in regard to the subsequent troubles

* "Ille Willielmus gratias agens Deo, pro victoria, fundavit Abbatiam e Bello, non longe ab Hastings littore & nomen tale imposuit ecclesiæ, a titulo Belli." See a MS. Copy of Matthew Paris in the Cottonian Library, in the British Museum.

† By the Saxon laws, every landholder in the kingdom was

obliged to have by him armour and weapons according to his rank and fortune, and to produce them every year at a general review, made the third day of February, in all parts of the realm, to shew that they were in good order and fit for service.

‡ William of Poitiers.

and the insurrections raised against William's authority: some will have it, that this prince, acting wholly upon the principles of tyrannical policy, had left such orders with Odo and Fitzosberne, on quitting the kingdom, as he knew, from their nature, could not fail of proving very unpopular, while, by vesting his authority in substitutes, he shifted from his own person upon those of his deputies all the odium of such measures. The Norman writers, on the other hand, and especially William of Poitiers, a professed creature and dependent of William, in order to exculpate the two regents, throw the whole blame on the fickle disposition of the English, alike restless under every administration. They represent the conduct of the regents as guided by justice and moderation, and to have given the English not the least cause of complaint, notwithstanding that these latter had shewn in all their actions a disposition to mutiny, ingratitude, and turbulence. Upon the whole, the fairest inference that can be drawn seems to be this, that William, sensible the English, after the charms of novelty had faded in their minds, would return to their inbred affection for the race of their former kings, and might readily seize the first opportunity to shake off a foreign yoke, had given the governors he had entrusted with the management of affairs in the kingdom, the necessary orders for guarding against such an event, by applying a sharp remedy to the very first symptoms of a party eruption in the body politic; and that these ministers, looking upon those over whom they had the rule in the contemptible light of a conquered people, might have been too hasty in their application of the prescribed remedy, and by an injudicious treatment have rendered that a corrosive which was intended only as a sanative prevention: while the English, considering only what they felt in general, without examining how far the conduct of some individuals might have occasioned the sufferings they complained of, had recourse to the most violent measures, and ran into open opposition against their rulers.

However this might have been, we find the inhabitants of Kent, who thought themselves more particularly aggrieved by the government of Odo, and not finding their remonstrances so properly attended to, as they imagined they had a right to expect, entered into a private correspondence with Eustace, count of Boulogne, the very person to whom they had shewn so violent an animosity in the reign of Edward the Confessor, and invited him over to head them, or at least requested that he would send them a supply of men and money, to assist them in recovering their liberties, and bringing their oppressors to condign punishment.

Eustace had at that time a personal quarrel with William, as duke of Normandy, and therefore, dropping all resentment against the English for the treatment he had received from them when in their country, gave their messengers a very favourable reception, and readily acquiesced in the proposal made to him. The negotiation was carried on so secretly, that the regency knew nothing of it but by the effects. Odo and Hugh de Montfort (one of William's ministers, and deputy-governor, under Odo, of Dover castle) distrusting no harm, were both of them at that time absent from their charge, so that every thing seemed to favour the designs of the malecontents: Eustace set sail from

Boulogne, and landed at Dover in the night-time, with a chosen body of troops, and gave a vigorous assault to that castle; but the garrison, quickly recovering the surprize they were at first thrown into by this unexpected attack, made a vigorous rally, and falling upon the assailants; put them to flight, drove Eustace and his men to their ships, and a division of the English, which had joined him, towards the brow of a rock, where most of them were precipitated down the cliffs into the sea: Eustace's nephew was taken prisoner in this skirmish, and the count himself narrowly escaped with a few of his followers.

This bad success at the beginning was not sufficient to damp the spirits of those who had unfurled the standard of liberty; their example ran through the kingdom like wild-fire, so that no sooner was the flame extinguished in one part, than it burst forth in another. The next scene of disturbance we hear of, had its rise in Shropshire and Herefordshire, and was of so violent a nature as to threaten the most serious consequences; and so high did the tide of discontent run throughout the kingdom, that Coxo, a nobleman of great power and property, and highly in favour with the English, was murdered by his own vassals, because he would not head them in an insurrection. This worthy lord, whom some of our antiquaries take to have been earl of Northumberland, was a man of strict virtue, and notwithstanding that he lamented the oppression under which some of his countrymen laboured, he thought that the oath of fealty he had made to William, in common with other nobles of the realm, after the battle of Hastings, would not allow him to take up arms against him in his absence.

These considerations, however, had but small weight with Edric, surnamed Sylvaticus, or the Forester, nephew to the infamous Edric Streon, who lived in the reign of Ethelred II. This nobleman's estates lay on the borders of Wales: history does not inform us what reasons he alleged for taking up arms; he had, like earl Coxo and other noblemen, sworn allegiance to William, and had met with the most favourable reception and kind treatment from him. However, seeing himself now at the head of a strong party of the malecontents, he attacked the territories of Richard Scrope, and other Normans in Herefordshire, and being joined by a body of the Welsh, under Blethwyn and Rynwellen, princes of Powis and North Wales, he wasted all the country as far as Luggen bridge, after making a considerable booty, returned home. Nor were these the only insurrections that were raised by the English against the Norman intruders; great numbers of those foreigners were set upon and cut off, by bands of people that rendezvoused in woods and forests.

William, on receiving information of these commotions, left the government of Normandy in the hands of Matilda, his duchess, and his eldest son Robert, and setting sail from thence, landed at Winchelsea, on the sixth of December, 1067. By his sudden arrival he defeated a plan which had been concerted by the English, for shaking off the Norman yoke; and it is not improbable that the discovery of this design having been imparted to him, was the principal means of hastening his coming over. The conspiracy, indeed, was too general, and there were too many concerned in its intended execution, for it to be kept secret: the design was to fall at the

same hour upon the Norman forces dispersed in different quarters of the kingdom, for its defence; and having destroyed these, the conspirators thought they should easily oppose the king's setting foot in the kingdom, if he returned from Normandy. Ash Wednesday, when the Normans used, according to the Christian custom and penitential discipline of those days, to go to church barefooted, unarmed, and in the garb of penitents, was the day, and the time of divine service the hour, fixed for the execution of the proposed massacre.

William, by his return, appeased in some measure the storm his absence had raised. But these attempts, and in particular the one last recited, gave him so great a suspicion of all the English in general, that he began from that time to look upon them as so many secret enemies, who only waited for a favourable opportunity to revolt and dispossess him of the throne. And, indeed, this opinion of his seems not to have been without grounds; for, if we consider William's temper, and the disposition of the English with respect to him, it will be found almost impossible, in the nature of things, that there should have subsisted between them that mutual confidence which is the earnest of tranquility in a state. The king was naturally mistrustful and severe: his generosity to his followers, and other expences, had run him greatly in debt: besides, he was fond of money, and never was happy while his coffers were empty; in fine, his excessive partiality to his own nation frequently prevented him from giving ear to the complaints of his new subjects against the old, who, on many occasions, did undoubtedly make use of the king's favour to grind the faces of the English; while, on the other hand, these latter entertained an implacable aversion to, and prejudice against, the Normans. This prejudice, which had begun in the reign of Edward and had been kept alive by earl Godwin and his sons, had been still farther increased by the late transactions during William's absence; for whatever care the king may be supposed to have taken to recommend to his Normans the mild and just treatment of the English, there was no hindering them from abusing the superiority they had over them, by having all the places of strength in their own hands; and the least appearance of an insult was by the English construed into the most cruel act of tyranny, and destroyed the good intelligence that should have subsisted for the general benefit, between the two nations. Lastly, the administration of the two regents, during his absence, gave the English great reason to believe that they would not have dared to have carried so high an hand, had they not been encouraged thereto by their master, or at least under no apprehension of drawing down his anger upon them for such a conduct. Moreover, when they found that, after his return, he neglected to punish those men for their peculation, they set no bounds to their murmurs and complaints, nor were at any pains to conceal their dissatisfaction. William, on his side, finding how matters stood, was convinced that he could no longer trust them, and, therefore, resolved to govern them with an iron rod; as also to put his Nor-

mans in possession of all their lands, as opportunity should offer.

It was, however, essentially necessary to conceal a design, the avowal of which would have thrown, perhaps, insurmountable obstacles in the way of its completion, by exasperating the English to a general insurrection. He therefore had recourse to that dissimulation which had served him so well on former occasions; and though he firmly persisted in his intent, he pursued it with the most refined policy, gaining his point by degrees, and carrying it on under the veil of the most engaging caresses, and the most ensnaring promises of kindness, affection, and friendship, the usual covers for ill designs in mean or ambitious breasts.

The late alliance between Edwin and the Welsh had given him no little uneasiness; he dreaded lest those two nations, forgetting their former animosities, should join in their hatred and opposition to him and his government: he therefore left nothing undone to awaken a mutual distrust of each other in both these people, which he in some measure affected, and thus found means to weaken the gathering storm, yet not so thoroughly but that it made itself felt in different parts of the kingdom, especially in the northern and western quarters, where matters seemed strongly disposed in favour of a revolution. We must not here forget, that in order to bind Edwin, the powerful earl of Mercia, to his interest, he promised that nobleman his daughter in marriage, a promise which he seemed totally to have forgotten when his authority became afterwards so firmly established as no longer to stand in need of his friendship.

The first signal which William gave of his intention to rule by arbitrary power was manifested in the revival of the tax of Danegelt*, so justly odious to the whole English nation. The levying it without calling together the states, gave them great cause for suspicion, and added fuel to the present discontent. On this occasion, Aldred, archbishop of York, took the liberty to make several remonstrances to the king with a noble freedom, and endeavoured to dissuade him from so unpopular a measure; but William, deaf to his advice, or rather incensed at his intermeddling, instead of desisting from his design, gave orders for the levying this tax with the most rigorous exactness.

These orders struck a terror into those parts of the kingdom that were more immediately under his eye and the power of his standing army, so that little or no opposition was made to the payment of it in those counties adjacent to the capital; but the more remote provinces of Cornwall and Devonshire did not so tamely stoop beneath the burthen, and the city of Exeter was the first that refused to submit to the Conqueror's new regulations. It is to be observed, that Githa, the mother of Harold, had retired to this city with all her rich effects, after the battle of Hastings, so fatal to her family, and had here, with all her riches, lived uninterrupted, and in a splendor little inferior to that of the possessor of the crown: and it is not improbable but that her influence might in a great measure have contributed to the resistance made on this oc-

* His reasons for reviving this tax, says Mr. Guthrie, in several respects were plausible: many of the English, Danes, and others, who had sided with Harold, had retired to Denmark upon William's success. Sweyn, king of Denmark, was so far from relinquishing his pretensions in blood to the crown of England, that he was actually preparing to make them

good by a powerful armament; and there was great reason to believe that he would, on his arrival, be joined by a considerable party of English. This, though not taken notice of by any of our modern historians, seems to have furnished William with the hint of reviving this tax, which he did merely by virtue of his own prerogative. *Guth. Hist. Eng.* vol. i. p. 358.

caſion by the inhabitants of theſe counties, who abſolutely refuſed to ſwear fealty to William, or to admit a gariſon of Normans whom he had ſent down to take poſſeſſion of their ſtrong holds. William, not chuſing to ſuffer any one inſtance of refractorineſs to go unpuniſhed, left an ill-timed lenity might give riſe to future diſturbances of this kind, ſent the malecontents word, that unleſs they immediately returned to their duty, they had nothing to expect but the moſt rigorous treatment for their diſobedience. They, in no wiſe intimidated by his menaces, perſiſted in the reſolution they had taken, upon which he marched in perſon, with a ſtrong force, to quell them. And here he gave the moſt remarkable inſtance of that refined policy to which moſt of his ſucceſſes had in fact been owing: notwithſtanding he had ſo many Normans ready to march at his command, the greateſt part of the army he raiſed on this occaſion was compoſed of Engliſh, that he might not leave them even the ſhadow of a plea for their ſtubborneſs, by alleging that foreigners were made uſe of, to drive them into a compliance with the will of a foreigner; he therefore reſolved to make the Engliſh cut each other's throats, and, oh ſhameful to be told! they themſelves aſſiſted him in his deſigns. Thus he at once ſpared his faithful Normans, and by thinning the number of the Engliſh, and, what was ſtill more to his purpoſe, by creating between two people of the ſame nation an irreconcilable animosity, he by degrees attained every point he had in view. From hence, oh ye people! invincible whiſt united, learn to diſtruſt and contemn all ſuch, however ſpecious may be their pretences, who ſeek to ſow the ſeeds of diſcord among ye! and reſt aſſured, that every ſuch endeavour can only have your ruin and the aggrandizement of the foes to your happy conſtitution for its real ſource.

Advancing therefore againſt Exeter (A. D. 1068) with the Engliſh in the front of his army, he prepared to lay ſiege to the town in form, which ſo intimidated the magiſtrates and perſons of property within the place, that they ſent a deputation to him, with offers of ſubmiſſion and hoſtages as pledges of their ſincerity. But the populace, who had more reſolution, becauſe they had leſs to loſe, reſuſed to abide by the pact the deputies had made, ſhut the gates againſt the king juſt as he was preparing to enter and take poſſeſſion of the city, and declared they would defend themſelves therein as long as one ſtone remained upon another.

William, highly incenſed at this affront, had reſort to a cruel device, in order to ſtrike terror into the beſieged, for commanding one of the hoſtages to be brought out in view of the walls, his eyes were there inhumanly put out. This deed, however, had a different effect on the minds of

thoſe within from what William had imagined, and only ſerved to make them more deſperate, upon which he found himſelf conſtrained to begin the ſiege in earneſt. Having carried on his approaches almoſt to the foot of the walls, he ordered his battering engines to play furiouſly upon them, and at the ſame time gave directions for undermining the ramparts. His orders were executed with the greateſt alacrity, and the townſmen, who had been before ſo insolent, now ſtruck with the baſeſt fear, implored the compaſſion of the victor; but William, who was not to be eaſily appeaſed when once his reſentment was thoroughly roused, reſuſed to hearken to any terms, and threatened to put to the ſword all thoſe who had ſhut the gates againſt him. However, the remonſtrances of the principal nobles and clergy in his camp, whom he did not care to diſoblige, added to the dictates of policy and a deſire to poſſeſs his ſubjects with a notion of his clemency, to which he was in his heart a ſtranger, got the better of his wrath, inſomuch that he not only pardoned them, but even prevented his ſoldiers from plundering their city. As to Githa, ſhe, upon the firſt approach of William, had found means to get on ſhipboard, with her effects, and eſcaped to Flanders. In order to prevent future inſurrections, he built a citadel in the place, which he filled with a ſtrong gariſon, under the command of Baldwin de Moles, on whom he likewiſe beſtowed the government of the county.

From thence he marched into Cornwall, to quell the commotions there, in which he ſucceeded to his wiſh; and having provided for the future peace of that county, he returned to Wincheſter, and ordered his army into winter-quarters.

In this city he paſſed his Eaſter. Hither his duchefs Matilda, or Maude, came to him from Normandy, ſoon after the holidays; and was crowned, on Whitſunday, by archbiſhop Alfred: and before the expiration of the year was delivered of a ſon, who was named Henry, and afterwards filled the throne of England.

And now the king, finding that he could no longer put off the payment of his debts, and the rewards had ſo often promiſed to thoſe who aſſiſted him in compaſſing his deſigns on the Engliſh ſucceſſion, and being loth to part with the immense ſums he had raiſed by Danegelt*, beſought him of another expedient, which was, perhaps, the moſt unpopular, if not unjuſt, that he could poſſibly have deviſed. He ſent commiſſaries into every county, to take information of thoſe who had been engaged in the battle of Haſtings, on Harold's ſide, and to conſiſcate their eſtates.

About this time Aldred, the good archbiſhop of York, finding that all his remonſtrances were of no effect, and that William, contrary to his advice,

* The enormous ſums that were collected under this title are really ſurpriſing, conſidering the earlineſs of this period; and it may prove no ſmall ſatiſfaction to ſee them collected together in this place.

Years when paid		Sums.
A. D.		£.
To the Saxon kings	991	10,000
	994	16,000
	1002	24,000
	1007	36,000
	1012	48,000
	1014	30,000
	1018	72,000
		236,000

To which if we add the great ſums otherwiſe collected by William at this time, we cannot but ſtand amazed at the great opulence of this nation even in thoſe days, which could ſupport ſo heavy a burthen without ſinking beneath it.

was

was proceeding to acts of tyranny and oppression, whereas he had always entertained a different opinion of him, in the bitterness of his heart pronounced a severe curse against him, and soon after died with grief.

William, now rid of this troublesome monitor, listened only to the dictates of his own imperious will; and the inquisition which he had set on foot was carried on with such rigour that most of the men of property among the English were dispossessed of their lands, on frivolous, and too frequently false, pretences, and they were bestowed on the craving Normans. This gave rise to numberless complaints and representations to the throne against the injustice of these proceedings†; but William, who was by this expedient enabled to pay his debts, and satisfy the clamours of his greedy followers, gave himself little or no concern about the rest: besides, these confiscations gave him an opportunity of filling the several counties with such persons as were devoted to his interest, and must find their account in maintaining him in his new throne.

The favourers of William, who are as strenuous in praising this prince as his enemies are in blackening his character (and both sides frequently more swayed by their private sentiments than a strict regard to truth), have laboured to gloss over this act of oppression, by setting forth, in the most pompous manner, an act of justice the king did on this occasion, by restoring a confiscated estate to an English lord*, on the latter making it appear that he had never borne arms against him. Tyrrel, indeed, calls this fact in question, because this estate is not mentioned in Doomsday Book: however, as eighteen years had passed between the time this incident fell out and the survey made by William, and on which he formed that book, we may naturally suppose that during this interval many alterations of property might happen, both in the Saxon and Norman possessions, especially at a period wherein there was such a fluctuation of property: in charity, therefore, we will give William credit for the story. But to return.

The discontent became now general and loud, and the daily confiscations made against all right and equity completely wearied out the patience of the English, who, in this their deep distress, naturally turned their eyes upon the two brothers Edwin and Morcar, from whose valour and patriotic spirit they alone expected deliverance from the Norman oppression. At this time also William had greatly alienated the affections of the first of these noblemen from his service, by neglecting or rather refusing to perform the promise he had made him of giving him his daughter in marriage. This affront, together with the sufferings of his countrymen and the continual intreaties he had from them to espouse their cause, determined him to take up arms. Morcar, his brother, who looked upon the late attempts the king had made upon the properties of the inferior nobility as no more than a prelude to what he was preparing for those of the first rank,

and in which he should necessarily find himself and family involved, readily engaged in the party of the malecontents. As these two lords had a very great interest in the kingdom, they soon got together a powerful army, which was reinforced by succours from Blethwyn, prince of North Wales, their nephew, who joined them with a good number of troops. It does not appear, from any good authority, that Edgar Atheling was actually in this rebellion; perhaps William would not trust him far from his presence, well knowing his great influence with the English.

Notwithstanding the great power of which the two brothers now found themselves assured, they did not care to hazard an open rupture with such a formidable prince as William, until they had first solicited succours from Sweyn, king of Denmark, and had actually received promises of a reinforcement from Malcolm, then king of the Scots. These precautions being taken, they assembled their forces at York, and publicly declared their design to wrest the sceptre out of the hands of a prince, who by his manifold acts of oppression and injustice had shewn himself unworthy of reigning over a free and generous people.

William no sooner received the alarming news of this insurrection than he put himself at the head of a chosen army of Normans, on whose fidelity he knew he could confide, and set out towards the North to reduce the rebels to reason. Morcar and Edwin, finding themselves disappointed of the expected support of Sweyn, and also of those succours that were to have been sent them from the Scots, and finding that William had taken the precaution to put all the strong holds of the country into the hands of governors he could trust, and, moreover, perceiving that great numbers of the malecontents, who had at first joined them, were daily dropping off, and that they should soon be left to shift for themselves; on all these considerations they determined to submit to the Conqueror, which they accordingly did; and he, not willing to exasperate the English, received them with a seeming complaisance; nevertheless, as he still apprehended some disturbances from the spirit of disaffection which reigned in the northern part of the kingdom, he, without trusting to the submission of the two brothers, marched onwards against the city of York, the capital of that country, and where several of the rebels had sheltered themselves with no inconsiderable force; but the defection of those leaders, on whom they placed their chief dependence, had such an effect on them, that they sent deputies to meet William on his way, with the keys of the town, which he gladly accepted, and, without proceeding to any extremities against the inhabitants, contented himself with erecting strong fortresses in their city and the adjacent country, which, as usual, he committed to the care of his Norman generals, well knowing that their own interest would induce them to be properly cautious to stifle the first attempts towards any commotions, which, if they intended to injure his authority,

† The sufferers urged in their defence, that when they took up arms, Harold was in actual possession of the throne, and that he had been elected at a time when William's pretensions were not known; they added, that they had never taken an oath to the duke of Normandy prior to the battle of Hastings, and consequently were not liable to have their estates confiscated for bearing arms against him. Besides, had they been really guilty of a rebellion, in appearing at the battle of

Hastings, they had made ample amends for this error in their conduct, by the subsequent submission, which had been accepted by him, and engaged a promise from him that he would protect them in their rights and privileges. These reasons were not only plausible, but strong and founded on fact.

* Edwin, proprietor of Sharnburn, in Norfolk, whose lands the king had given to William de Warren and William de Albany, the first his forester and the other his cup-bearer.

could not fail of prejudicing themselves, who were altogether dependent on him, and existed only in his welfare.

By this time every thing bowed before the power of the Conqueror, in those very provinces which had so lately given him the greatest uneasiness. Archil, a nobleman of great interest in the northern parts, made his submission, and even sent his son as an hostage to William for his good behaviour: the example began now to prevail universally, and Egelwin, bishop of Durham, who had been one of the most busy in blowing up the flames of discontent, now fell in with the humour of the times, and made his peace: to render which the more effectual and agreeable to the king, he prevailed on Malcolm, king of Scots, to disclaim any future connections with the malecontents, and to swear peace and amity with William, who having thus successfully quelled this rebellion, which in its beginning threatened such untoward consequences, employed the leisure he now happily found, in providing against future commotions by placing strong garrisons in all those places that he had the most reason to be diffident of; accordingly we find Lincoln, Cambridge, and Huntingdon bridled by strong forts, powerfully manned with Norman soldiers.

Unsuccessful attempts towards the recovery of liberty always rivet the chains of those who groan under oppression. So fared it with the English on this occasion, their late faint efforts had served only to manifest their disaffection, without answering any one salutary end to themselves; on the contrary, it only armed the hands of their severe master with new means for binding their necks to the heavy yoke he had prepared for them. The late tumults he had made use of as a plausible pretext to strip all those obnoxious to him of their estates, or to deprive them of their liberty, and in many instances of both. However, the inborn spirit of English freedom was not wholly extinguished; some few sparks yet remained, and those were cherished in the breasts of Gospatrick and Marleswin, two northern noblemen, who, unable to bear the state of slavery to which they thought their country on the eve of being reduced, endeavoured to awaken in the mind of the supine Edgar Atheling those sentiments which befitted a person of his birth and expectations. Cold and inactive as his soul was by nature, the prospect of a throne, to which he had an undoubted right, the cries of a people who were by the laws of succession his, and some latent principles of the Cerdic blood, begot in him a momentary ardour; he blushed at having so long led an inglorious and inactive life, crouching beneath the rule of the usurper of the throne of his ancestors; he shook off indolence; he felt himself animated with a glorious emulation; but, sensible that he had neither friends nor power sufficient to stem the current of his adverse fortune, he resolved to seek in a foreign alliance that support which he could not hope, for the present, to find among his countrymen: and therefore, in conjunction with the two noblemen abovementioned, and with the other remains of the blood royal, Margaret and Christina, his two sisters, and his mother Agatha, he retired into Scotland, where Malcolm, the king of that country, notwithstanding his late pacification with William, received the illustrious fugitives with the utmost hospitality: formerly an exile himself, he was moved with compassion for their fate. Com-

passion insensibly begets attachment: love, in this instance, added its powerful influence; Malcolm beheld the princess Margaret with an eye of affection, she received his passion with complacency, and a short time united the royal pair: from this marriage sprung Matilda, or Maud, grand-mother to Henry II. king of England, in whose person the royal families of the Saxons and Normans were united.

The English no sooner heard of Edgar's retreat into Scotland, and the favourable reception he had met there, than they crowded over to Malcolm's court in such numbers as could not fail of greatly alarming William: however, not willing to come to an open rupture with the Scot, he contented himself at first with requiring Malcolm, in virtue of the treaty subsisting between them, to deliver up Edgar, whom he claimed as his subject and a deserter. But Malcolm had not made his engagements so precipitately to be surprized with this requisition: he returned for answer, "that, by the laws of all nations, he was authorized to give refuge in his dominions to the subjects of any other prince who chose to retreat thither, not being capitally convicted of any designs against the state to which they belonged; in which predicament he did not conceive that either Edgar or his family at that time stood; and, by the laws of honour, those whom he had once protected, he never could be permitted to desert or give up." This declaration, as just as it was magnanimous, proved the signal of a war between the two kingdoms, which was immediately proclaimed on both sides.

Many, and truly politic, were the motives that induced Malcolm to take this step: the late behaviour of William towards the English, when he had got them in his power, promised him but little hopes of ease from so ambitious a prince, should that power ever become so considerable as to put him upon reducing the whole island under one head. The great concourse of English from the northern parts of that kingdom, and the presence of Edgar Atheling, whom he well knew to be highly favoured by a great part of the nation, were to him the most certain securities for a powerful support, should he interest himself in behalf of that unfortunate prince and his family against William, who had rendered himself so obnoxious by his arbitrary sway to his new subjects; he therefore sent private intimation to the disaffected party in England, that he was ready to second any attempt they might chuse to make towards shaking off the Norman yoke, with all his power.

These promises of assistance from Scotland worked powerfully with the English malecontents in the North, who took every opportunity of harrassing the Normans in their new acquired possessions, and that to such a degree that many of them threw up all the command and estates they had there, rather than hold them at the hazard of their quiet and even of their lives, and demanded of William to be sent back to their own country: among these were Hugo de Gretnesnil, who commanded at Winchester, and Humphrey de Teliolo, governor of the fort at Hastings, and many others of great character for their military knowledge and prowess. William, though he could ill brook their absence, made it a point religiously to observe all his engagements with those who had accompanied him in his expedition, as well his own subjects as those of neighbouring states, and therefore dismissed those

who wanted to be gone, with great expressions of courtesy and several valuable presents over and above what pay was due to them by agreement.

All this while Edgar, with the assistance of Malcolm, was taking every step that could most probably insure success to the attempt he proposed to make towards the recovery of the throne; and with this view ambassadors were sent into Denmark, to solicit the king of that country to hasten the succours he had promised, as also to concert a plan of operations for the more effectually distressing William. By this plan the English monarch was to be attacked by the Irish, by the Scotch, by the northern malecontents, and by the Danes at one and the same time; a project which, if it had been vigorously pursued, would have shaken the very foundations of William's power: but as in most confederacies each party has his own interest principally in view, to which every other concern is made subservient, so happened it in the present case. There was not one of the chiefs of the league, Malcolm excepted, who had not either open or secret pretensions to the crown: Godwin, Edwin, and Magnus, the three sons of Harold, who, on the death of their father, had fled into Ireland, headed the troops that were to be furnished by that nation: the Danes were commanded by Harold, Canute, and Osbern, the two first, sons, and the latter brother, to the king of Denmark, another pretender: at the head of the discontented English was Edgar Atheling; and Malcolm commanded the Scotch. Each of these being undetermined, independent, and jealous of each other, their counsels were consequently distracted, and came to nought.

William was very early apprised of these machinations; he was too politic a prince to neglect any of the necessary precautions on such an occasion: and the diffidence he had entertained of the English determined him to redouble his severities and vigilance over their conduct. The measures he took for this purpose were such as at once tended to break the spirit of the English, and effectually provide for his own security. In the first place he disarmed all the natives; and in the second, ordered them to extinguish the fire and lights in their houses at the sound of a bell*, rung every evening at eight o'clock. This bell, as a judicious historian observes, put the English daily in mind of their slavery, and was in reality the knell of their expiring liberty.

At the same time he thought it expedient to guard in a particular manner against the Northumbrians, who had, on all occasions, shewed themselves of a restless and turbulent disposition, and whom he had, therefore, the greatest reason to believe would not remain long quiet, if any commotions were set on foot. In this apprehension he appoints Robert de Cumin earl or governor of the county of Northumberland, and sent him, with seven hundred soldiers to take possession of his government, and maintain peace among the inhabitants. As this general was on his march he was met, at a small distance from Durham, by Egelwin, bishop of that diocese, who, in a friendly manner, cautioned him to be upon his guard against any sudden rising of the people, to whom, he told him, he knew for certain that his approach was very disagreeable. But the haughty Norman, disdaining caution as cowardice, affected to laugh at the ad-

monition of the good prelate, foolishly imagining that his presence alone would be sufficient to overawe the discontented populace. Accordingly, when he had taken possession of Durham, he suffered his men to strol about the town in a licentious manner, and to commit with impunity any ravages they pleased; in consequence of which many of the citizens, as well as of the people in the country round about, were miserably oppressed, robbed, and many of them slain.

The Northumbrians lost all patience upon receiving such treatment, and resolved to revenge their sufferings fourfold on the authors: with this view assembling in great numbers, they broke into the city by day-break, slew all the Normans they met with, attacked the bishop's palace, where Cumin had taken up his quarters, and not being able to force it, through the vigorous defence made by him and his followers, set it on fire, and consumed all that were within. The slaughter made by the malecontents on this occasion was so savage, that out of seven hundred only one man escaped.

This destruction of the Normans, which fell out on the eighth of January, 1069, encouraged the citizens of York to the like attempt; accordingly they fell upon Robert Fitzrichard, their governor, and slew him, together with the greatest part of his garrison: but William Mallet, a brave and faithful servant of the Conqueror, who at that time was governor of the castle, on which the insurgents next made an attempt, defended it so gallantly that he gave William time to come up to its relief; who, on the first notice of these bloody commotions, set out from Winchester with a strong army, and marched with such expedition that he was ready to give battle to the besiegers before they were apprized of his coming: however, an engagement ensued, in which the latter were routed with great slaughter, William, in the heat of his resentment, having given orders to his men to grant no quarter. After a short stay to erect an additional fortrefs, he marched back to Winchester, to keep his Easter. No sooner was his back turned than the English attacked both castles; but were bravely repulsed.

William, finding matters grow thus serious, and that he was threatened with nothing less than a general defection among his new subjects, sent his wife, queen Matilda, over to Normandy, as a place of greater security: at the same time several Norman noblemen and others who had followed his fortunes, now finding that there was little appearance of their enjoying quietly those possessions his bounty had bestowed on them in England, prepared to quit the island, as others, whom we have mentioned, had already done. The king in vain endeavoured to persuade them to stay, by making them large promises, their fears got the better of their avarice and their loyalty, and they abandoned their prince and benefactor in his greatest extremity. This proceeding naturally begot in the king so warm a resentment, that he confiscated all their estates, nor could after be prevailed on to restore them to these men or their heirs.

The first effect which we learn of the confederacy formed against William in other countries was from Ireland, from which kingdom Harold's three sons, before-mentioned, came over and landed, in the middle of June, in Somersetshire, where they de-

* From this circumstance called the Curfeu-bell, from *Couvre feu*, in French.

feated Ednoth, an English general, who was sent to oppose them; after which they marched into Devonshire; but being twice defeated in one day by the valour of Briant, son of Eudes count of Brittany, after losing seventeen hundred men, and some of the chief of the Irish nobility, they were glad to retire on board their fleet, and make the best of their way off, under covert of the night.

About the end of August or beginning of September, in the same year (1069), the Danes appeared, with a fleet of two hundred and forty sail, under the command of Osbern, brother-in-law to Sweyn, king of Denmark*. They made their first descent at Dover and Sandwich, but were repulsed with loss at both places; upon which they steered their course for the coast of Suffolk, and landed at Ipswich, where they committed cruel ravages on the circumjacent country; but having been several times defeated in skirmishes with the king's troops, they passed on to Lincolnshire, where the same ill success followed them; however, taking advantage of the wind, which had all along continued in their favour, they got into the mouth of the Humber, and having landed their forces without opposition, were soon after joined by Edgar Atheling, Gospatrick, and the famous earl Waltheof, with many other persons of distinction, and among the rest Merleswin, Adelen, and Siward Bearn, and a numerous body of land forces from Scotland; after which they marched in one collected body to York, receiving continual reinforcements from the countries through which they passed.

Thus strengthened, they prepared to form the siege of York, which city was well fortified, and commanded by William Mallet, who was determined to make the most obstinate defence. With this view he gave orders to set fire to all the houses contiguous or adjoining to the forts, lest the Danes might avail themselves, if they were only pulled down, of the rubbish to fill up the ditches; but there happening to be a very high wind at the time these orders were put in execution, the flames communicated themselves to the houses in the city, a great number of which were burnt to the ground before a stop could be put to the conflagration. While the flames were yet raging, the combined army, taking advantage of the hurry and consternation in which they naturally imagined the besieged would be on such an accident, gave a furious assault to the forts, which they carried sword in hand, notwithstanding the vigorous defence made by the Normans, who, in this action, lost three thousand men, few or none escaping of either of the two garrisons, excepting Mallet the governor, his wife, two children, and one Gilbert de Gout and some others of the prime nobility, whose lives were spared. With these prisoners, and a vast booty of all kinds, the Danes retired to their fleet in the Humber, and Waltheof, son of the celebrated Siward, was left with a strong garrison at York.

The king, on receiving intelligence of these devastations, immediately levied a formidable army, at the head of which he determined to march towards Northumberland, vowing, in the fury of his

wrath, by the splendor of God's face, that he would not leave a Northumbrian alive to stir up future insurrections. At the same time he endeavoured as much as possible to reconcile the rest of the English to his government; and with this view he hearkened to a proposal which was made him about this time by some of the principal among the English, who laid hold of this critical juncture when they knew he was distressed by the invasion from the North, and the descent from Denmark, to have their ancient Anglo-Saxon laws revived, and the late order repealed, for their adopting the Danish laws observed in the counties of Norfolk, Suffolk, Cambridgeshire, and part of Northumberland. Nothing but the necessity of the times could have bent the haughty soul of the Norman to this concession, "who now (as Matthew of Westminster emphatically expresses himself) humbled himself before the English, repressing the insolence of the Normans, and recalling from banishment many of the natives, whom he restored to their estates, and (continues the same historian) made with them a lasting agreement." But, whatever may be in this, it is certain that, before his setting out for York, he called a council†, wherein the petition of the barons (that is, of the twelve representatives from every county, who had been sent to collect Edward's laws‡) was heard and granted, and those laws established, as also others relating to forfeitures, fines, and amerciaments in criminal cases; and the rates of reliefs and mortuaries due to superior lords. However, these laws were easily wrested or evaded to answer the purposes of oppression.

By this concession William now found himself at liberty to turn the whole stress of his army against the Northumbrian rebels, against whom he thirsted with the most implacable revenge, and in this disposition he set out, and marched with the greatest expedition towards the North. This step, however necessary it might appear to him in the present situation of affairs, gave rise to fresh disturbances in other parts of the kingdom; for it was no sooner known to the inhabitants of Somerset and Devon that the king was thus employed, than they took advantage of his absence to fly to arms, and actually laid siege to Montacute, but were defeated by Geoffrey, bishop of Coutances, at the head of the Londoners and men of Hants and Wiltshire.

Edric Sylvaticus, or the Forester, a brave and noble warrior, at the head of a chosen body of forces, consisting of some Welsh and the inhabitants of Cheshire, thought to have made himself master of Shrewsbury by surprise; but when he came to sit down before it, he found that it was a place of so great strength as to be able to bid defiance for a great length of time to any efforts he could make to reduce it, upon which he drew off his forces and retired. Soon after, William Fitzosbern and earl Briant advanced to the relief of the town; but finding that the enemy had already deserted their post, they did not amuse themselves with following them in their retreat, but marched immediately to the succour of Exeter, which was at that time closely beleaguered by the inhabitants of Devon and Cornwall. On their arrival they found that this siege

* He had with him Sweyn's two sons, Harold and Canute, besides whom were earl Turkyll and Christiern their bishop.

† The beginning of the year 1070.

‡ Hoveden, a writer of no mean credit, in his History of the Reign of Henry II. mentions "that William, in the fourth year of his reign, assembled the chief of the English ci-

ther for weight or knowledge in the laws of their country, that he might make himself master of their constitution. Every county sent twelve members upon this occasion, who, recollecting all they could remember of the laws, as they stood in the time of Edward the Confessor, did, upon oath, repeat and lay them before William."

had likewise been raised by the gallant defence its citizens had made. We will now return to William, whom we left in full march for the North.

On his way he received advice that the city of Oxford had taken up arms against him; therefore, that he might not leave an enemy behind him, he went a little out of his way to reduce it. From thence he continued his march towards York, by the way of Nottingham; but when he came to Pomfret, or Pontefract*, he found that the enemy had broken down the bridges, and the waters being at that time swelled, he despaired of being able to pass the river for a considerable time. He had waited three weeks in the greatest impatience when one of his Norman knights, by his historians called Lisois†, discovered a ford, by which William and his army passed the river.

And now advancing into Yorkshire, which lay within the kingdom of Northumberland, he began to put his threats of revenge into execution by the most shocking ravages, filling the whole country with blood and ruin, insomuch that between York and Durham, a tract of sixty miles, he did not leave a single house standing to shelter such of the miserable inhabitants who had escaped the fury of his vengeful sword. However, as he approached towards the city of York, he found that the Danes had posted themselves in an unassailable and strong situation, between the two rivers Trent and Ouse; and not daring to hazard the weakening of his army by an unsuccessful attack, he had recourse to that expedient which the foregoing pages of this history have shewn always to have operated the most efficaciously with these sons of rapine: he sent private emissaries to offer the Danish general a handsome sum of money, with leave to plunder the country along the sea-coast, provided he would retire on board his ships with his forces. This proposal was readily accepted by Osbern, who, the following spring, departed for Denmark, where his brother Sweyn disgraced and banished him, for his corruption and treachery in abandoning those whom he had been sent to assist.

Having thus fortunately got rid of the Danes, William marched directly to lay siege to York, where the English and Scotch confederates had fortified themselves in the castles. In one of the assaults a breach being made, the Normans flocked thither in great numbers, to make themselves masters of the place; but the gallant earl Waltheof defended it with such heroic valour, that it was not in the power of the besiegers to force it. We are told by William of Malmesbury, that this Waltheof was son to the renowned earl Siward, and that he was, like his father, a prodigy of bodily strength. So obstinate was the resistance of those within the place, that William, despairing to reduce it by the usual forms, converted the siege into a blockade, and at length reduced the inhabitants to submit through famine.

William, who, notwithstanding the ferocity of his disposition and a pride which could not brook resistance, was an admirer of valour though in an enemy, was so delighted with the gallant behaviour of Waltheof, that, after the city submitted, he not only forgave him his having taken arms against him, but, with a magnanimity which almost

destroys the credit we are obliged to give to the best and most authentic historians, in regard to the general tenor of his behaviour, confirmed him in the possessions of Northampton and Huntingdon, and afterwards gave him his own niece, Judith, daughter to the countess of Albemarle, in marriage. He likewise received into favour earl Godfrid; but he punished with the utmost severity the rest of the officers and soldiers whom he found in the garrison, and laid a heavy fine on the citizens of York.

He was now determined to keep his Christmas at York, and accordingly sent for his crown and other regalia from Winchester, in order to appear with the greater pomp and splendor. But the manner in which he passed his holidays were such as must shock every person who has the least tincture of humanity: under a pretext of preventing a second Danish invasion, he sent several detachments of his army to lay waste the country, both to the southward and northward; and these orders were executed with such a savage punctuality that left no distinction between the innocent and the guilty. It is impossible, say our best historians (even Malmesbury himself), to describe the horrors of this scene; the lands lay untilld, the houses were destroyed, and the miserable tenants, abandoned to cold and hunger, strewed the roads and fields with their dead bodies, after having vainly strove to prolong their wretched lives by feeding on the flesh of the most unclean animals, and sometimes on human carcases.

From these scenes of horror and distress great numbers of the common people fled into Scotland, and settled in the low-lands, which they greatly improved by agriculture: many of the better sort whose estates were confiscated, or who had entertained an aversion to the Norman sway, retired also to that country, where they were kindly received by queen Margaret and her husband Malcolm, who assigned lands for their maintenance; and these proved founders of some of the best families in Scotland‡.

As soon as the holidays were over, William took the field against the Welsh and Cheshire forces, that had besieged Shrewsbury, under the command of Edric Sylvaticus, and still continued in a body unsuppressed. The king had mountainous and deep countries to pass through in his way to attack them, and the fatigues of this march were so great, that his soldiers of Anjou, Maine, and Bretagne desired to be dismissed; but William exhorting them by fair words and promises, and his own example, pursued his way, and at length, after incredible labour, got to Chester. Here, whether tired of the effusion of blood, or willing, out of a regard to policy, to get so great a man over to his party, he invited Edric to an accommodation, promising him not only to forgive what was past, but to take him into his favour. This chieftain, encouraged by an act of such condescension in a king and a conqueror, readily embraced the terms offered him, and laid down his arms: and now William found the most agreeable consequences from this step he had taken, for no sooner had Edric made his submission than all commotions in that country ceased. However, that he might effectually provide for the future

* Formerly Kirby.

† This was most probably the same person with the Lacy on whom William bestowed the town of Pontefract.

‡ Lessly, bishop of Ross has given a long list of those, in his book *De origine & gestis Scotorum*.

quiet of those parts, he built two strong forts, the one at Chester, the other at Stafford, furnishing them with numerous garrisons. He then proceeded to Salisbury, where he dismissed all his troops, with suitable rewards, except those who had attempted to leave him as before-mentioned, and these he detained forty days after the rest were disbanded, by way of punishment for their mutinous behaviour. He afterwards repaired to Winchester, where he was again solemnly crowned by Ermanfroid, bishop of Sion, assisted by John and Peter, two cardinals, sent over as legates by the pope, to compliment him with that ceremony in his name.

From this time William seems to have entertained a confirmed aversion to the English; and, indeed, if we consider the continual enterprizes in which they were engaged against his person and authority, it is not much to be wondered at, if his mind became soured towards them; and if, as he found that they were not to be brought to live peaceable under his government, he exerted the iron means of arbitrary sway to tame those, over whom he had acquired not only the right of conquest, but that of a voluntary submission. Actuated with these sentiments he resolved to leave no measures untried to reduce them to that state of servitude, which he knew would effectually answer his ends. He was sensible, that so long as any considerable properties remained in the hands of the English, so long he should have to fear continual insurrections on their parts, and therefore, with a policy that, indeed, favoured too much of the tyrant, he, on the pretext that power can never want, confiscated the estates of every person whom he thought the most likely to give him any trouble, either by their interests or connections. In order to secure success to his project, he took care to raise a sufficient number of his trusty Normans to be the chief barons of the kingdom; by this means he secured a certain majority in the great council of the nation, and of consequence could carry any point he chose to insist upon. Thus secured of support, and in a seeming legal way, he proceeded to make considerable alterations in the property of England.

It would be endless to enumerate all the grants given by the king to foreigners: in a word, he deprived all the natives of this country of every place of trust and dignity, and bestowed them on his Norman relations and friends that had adhered to his cause. The particular divisions of the counties and manors into different gifts shall be mentioned in another place, where they will more properly fall under the Norman laws, respecting manors, &c.

Nor were the English nobility alone the sufferers by these arbitrary proceedings of William, the clergy had little better treatment; for the king having fixed the court of Rome in his interest, was assured of her countenance in the persons of her legates, to whatsoever he should propose. Accordingly, about this time, he held a great synod or council at Winchester, where Stigand, archbishop of Canterbury, was deprived of his dignities, and several other revolutions in church-matters took place, as shall be seen when we come to consider the state of religion and of the church at this period: among other innovations, he compelled all bishoprics and abbies, possessed of baronies, to exchange their tenure, and, instead of holding them free of all secular servitude, to

hold them by knight's service, or military tenure. This innovation, however, was attended with some wholesome effects to the constitution of this country, by wresting out of the hands of the clergy a part of that exorbitant power, which they would otherwise have made use of to enslave the laity in time. Such of the clergy who proved refractory to these alterations were quickly displaced, and their benefices filled with Normans. William also quartered the greatest part of his troops upon religious houses, and compelled the monks to find them necessities; by this means he kept his army with little or no charge, and at the same time kept all those communities in awe, and under the immediate eye of his trusty Norman officers.

All this, however, was not sufficient to sate the revenge and avarice of William; for having received information that several persons had, in the troublesome times, lodged their money and other valuable effects in the monasteries, he ordered them to be searched, and, under pretence of taking away what had been concealed, he robbed those religious houses of their vessels, and even stripped the shrines of the saints of their offerings.

Not yet satisfied with the measures he had already taken for the humiliation of the clergy, he resolved to depress some bishops and abbots, whose wealth and credit he looked upon with an evil eye. Accordingly, in this same council, we find that not only Stigand, archbishop of Canterbury, was deposed, for having intruded himself into that see, of which his predecessor Rodbert the Norman had not been canonically deprived, but also that Agelmar, bishop of Helmham, in East Anglia, Elgeric, of Durham, and some other prelates, disagreeable to the king, met with the same fate. Agelmar, who was brother to archbishop Stigand, was deprived at the same time with him, together with several abbots of the most opulent monasteries; and all this, according to the invariable narrative of several historians, "without any apparent cause, and without their having been guilty of any act condemned either by councils, the canons of the church, or the laws of the land."

Unjust soever as these decrees of the council must appear to every unprejudiced person, William took especial care to have them executed in their utmost rigour by the civil power. Many of the prelates were kept confined during their lives, and their sees were filled with foreigners from different climes; among the rest, Lanfranc an Italian and formerly abbot of a monastery in Caen, was advanced to the see of Canterbury; Thomas, a canon of Bayeux, was created archbishop of York; the dioceses of Winchester, Helmham, and Selsey were bestowed upon three of his own chaplains: nevertheless, it must be owned that William, in disposing of these places, put none in but persons of distinguished merit.

This oppressive treatment of a whole nation made it absolutely necessary to guard against the resentment which it was natural to suppose it would awaken in the minds of the injured parties, by keeping a powerful military force ready at call, to check the least appearance of a commotion. This could not fail of being attended with a very considerable expence, which could not be defrayed even by the prodigious sums that William had raised by his exactions, without the strictest œconomy. But this great statesman, who was never at a loss for expedients,

expedients, on this occasion erected the court of Exchequer*, wherein the accounts of all the officers employed in collecting the king's revenue were passed, and all actions relating thereto were heard. The exactions and irregularities of collectors, and the delays and defaults in payment from the persons assessed, were particularly cognizable in this court.

The king's revenue at this time consisted of several branches besides the old demesne lands, which were reserved for supplying the king's household with oxen, sheep, corn, hay, and all sorts of provision, according to the nature of the lands, and in the quantities necessary; the overplus remaining being compounded for in money. One was a kind of land-tax, called Hidage, of which we have already spoken in our history of the Saxon times, and which being levied to make good the sums promised to the Danes, thence got the name of Danegelt; but collected (as appears from Domesday Book) in William's time, as an ordinary tax, in all appearance at the rate of twelve-pence, as settled by Edward the Confessor. There was also a quit-rent† paid, before William's coming to the crown, out of all the lands of the subject throughout the kingdom, and continued likewise upon the knights fees established afterwards. Another branch consisted in the profits of wardships, reliefs, and fines, as well for livery of hereditary lands, assignations of dower, licences of marriage, and leave to sue in the king's courts, generally termed Oblata; as of a penal nature, for marrying without licence, and other misdemeanors, which amounted to large sums; besides the forfeitures, mulcts, and pecuniary penalties with which all sorts of crimes were before, and for some time after the reign of William, punished. There were, likewise, an infinite number of tolls and customs paid for passage, pontage, freedom of fairs and markets, protection in going and coming, liberty of buying and selling, and duties laid upon merchandize, or paid for imports and exports.

These general aids, with the occasional aid due from the fees of those that held of the crown by knights service, and the tallages that the king had in his power to levy upon the socage tenants in his own demesnes, and upon the trading towns of the kingdom, produced an immense revenue to William. Ordericus Vitalis says, that, setting aside the oblata, fines, and forfeitures, he had coming in near four hundred thousand pound a year, every pound being nearly equal to that weight of silver, consequently the whole is to be estimated at twelve hundred thousand pounds of the present computation; a sum which, considering the difference of specie between that period and the present, was equivalent to twelve millions of money of modern estimation. How rich and powerful, then, must this king have been, who, over and above this vast income, constantly maintained sixty thousand knights by quartering them upon monasteries, or assigning lands for their subsistence.

But not all this vast revenue, nor the mighty standing army which William kept on foot, could secure him against the attempts of the English to throw off a yoke that he had rendered insupportable to them; and so far were the measures he had

taken, from answering his view of terrifying them into an abject submission, that, on the contrary, it made them desperate, and many of them wished rather to end their lives in asserting their privileges, than to live with the privation of them. Fretherig, the abbot of St. Alban's, exerted himself in a particular manner to cherish this resolution in his countrymen, and his indignation at the calamities they suffered, made him cast about how to remedy them; for this purpose he gave refuge and entertainment to all such of the English who had been outed of their estates, and proscribed by the Conqueror, on account of their opposition to his measures: and here they concerted matters so secretly and prudently, that they had assembled a considerable army before William had the least intimation of their design. Fretherig, finding his scheme so successful, sent a message to Edgar Atheling, then in Scotland, inviting that prince to come and put himself at the head of the malecontents: which proposal he readily accepted, and, in a few days after, joined the abbot and his friends, who acknowledged him for their king, and caused him to be proclaimed in all the places they were masters of.

When William heard of these proceedings, not all his haughtiness could keep him from trembling for the consequences: conscious of the provocations he had given to the English, he could expect nothing less than that they would, to a man, join in a conspiracy against him, unless he could find some means to crush it in its infancy. In this dilemma he consulted with his favourite and bosom-counsellor, Lanfranc, who advised him, on this occasion, to conciliate the affections of the rest of the English by every act of condescension and kindness that his own dignity and safety would permit: and in particular he represented to him the salutary effects that might arise from recalling the most popular of the proscribed persons, and restoring them to his favour and protection. William listened to this prudent advice, and followed it: he prevailed on the chiefs of the insurgents to give him a meeting at Berkhamstead, where, after many remonstrances and expostulations, he, in the presence of his archbishop, took an oath upon all the relics of St. Alban, at the same time kissing the Gospels, "that he would observe the good, approved, and ancient laws of the kingdom, which the holy and pious kings, his predecessors, and particularly king Edward the Confessor, had enacted."

This condescension having pacified the malecontents, they returned to the army, in order to dismiss their troops, believing they should have no farther occasion for them. But as William had suffered the oath to be extorted from him, in regard to the exigence of affairs, so he thought of nothing less than keeping it; and he no sooner saw his foes disarmed, than he seized and imprisoned their persons, confiscated their estates, and filled them with Normans. Edgar, upon the first news of this treacherous conduct, fled to Scotland, and the rest of the conspirators took refuge in different countries. The abbot of St. Alban's, finding all his intentions for the delivery of his country baffled, retired to the Isle of Ely, where he died soon after of grief. Immediately upon his death, William

* The *Dialogue of the Exchequer* says it was erected from the time of the Conquest, and upon the plan of a like court in Normandy.

† *Dial. de Scaccar.* See Madox's *Hist. of the Exchequer.*

seized on his abbey of St. Alban's, and stripped it of every thing that was valuable; and Matthew Paris, in his *Lives of the Abbots of St. Alban's*, says, that the king would have wholly destroyed it, had he not been prevented by the remonstrances of Lanfranc his favourite.

The high hand which William carried over his English subjects, as it intimidated some into the most passive subjection, so it caused in others a resolution to shake off their chains, or perish in the attempt. A number of the discontented, of all ranks, repaired to the isle of Ely, and among the rest the two earls Morcar and Edwin (which latter was set upon and murdered, as he was on his way to Scotland to engage Malcolm to assist the malecontents), and were afterwards joined from Scotland by Egelric and Egelwin, the deposed bishops of Durham and Hereford, Siward Bearn and the brave Hereward de Wake, son of Leofric lord of Brunne, who was reputed the greatest warrior and the bravest soldier of his age; these great qualities and his known hatred to the Norman race, induced the malecontents to chuse him for their commander*. This distinction animated young Hereward with fresh ardour, and, in order to shew those who had put him at their head, that they had not made an unworthy choice, he set about making all the preparations necessary for a vigorous defence, well knowing that William would not long let them remain unattacked; and had this gallant warrior been properly seconded by the other English noblemen, he might still have retrieved the affairs of his country.

William, who was well acquainted with this nobleman's abilities, and apprehensive that Morcar's popularity might draw in great numbers to join his party, resolved to take the advantage of the summer, in which season alone the place was accessible, being surrounded with a deep morass, which in winter was always full of water. The first thing he did was to build a strong castle at Wisbich†, on the east side, and to stop up all the outlets by which the rebels could make any incursions. We are likewise told, that he built a bridge, two miles long, over the morass, on the west side. However, the besieged were so well fortified, that he was obliged to convert his operations into a blockade, a tedious method of proceeding, and the more vexatious to William at this time, as he had received news of an irruption into the northern provinces by Malcolm king of Scotland.

One morning, as the Normans were intent upon their works, the active Hereward sallied out, en-

gaged, and routed the party he attacked, and returned to the Isle loaded with plunder.

The check which this successful sally had given to William's affairs, made that prince very uneasy, and despairing of being able to make himself master of the place in any reasonable time, he made a truce with the malecontents, which, as it was convenient to their affairs, they readily consented to, and Hereward went over to the main land; but William soon broke this truce, by seizing and imprisoning Egelwin, bishop of Durham, as he was attempting to pass from the island. Hereupon hostilities were renewed, and Hereward returned to take upon him the command of the besieged, bringing with him a strong band of his countrymen, whom he had gathered together during his absence from the island, and whom he had bound by a solemn oath to make the most vigorous resistance.

But as there is a great variation among writers, in regard to the remaining part of the history of this insurrection, we shall adhere to what appears most probable, which is, that William, after having suffered repeated repulses in his attacks, bethought himself of an expedient which made him master of the place.

The monastery of Ely had several large possessions which lay on the main land; these William fell upon, and, after rifling them of their most valuable effects, gave the lands to his soldiers. This scheme succeeded to his wish; the brotherhood, touched to the quick with their loss, began to make such clamours, that Thurstan, their abbot, was obliged to promise them that he would fall upon some method to get a restitution of their lands from William. Accordingly he privately sent and offered him to betray the island into his hands, with all who were in it, and also to pay him a thousand marks, on condition the lands, which had been seized, were restored to the convent. William gladly embraced this offer, and the abbot, faithful in his treachery, opened a passage for a party of the king's troops, who kept their post, notwithstanding the efforts of those within to dislodge them, till the whole army entered the island. The gallant Hereward, finding himself betrayed, cut his passage through the Norman troops sword in hand; but the rest were obliged to surrender at discretion. Some were punished with the loss of their eyes, others had their hands cut off, and a few were committed to close prison; among these last were earl Morcar, brother to Edwin‡. The monks themselves did not escape unpunished, for William

not

* Though the monk of Ely, who has given us a particular description of his actions, is accused of exaggeration, yet, if we give the general words of Ingulphus, his cotemporary, a creature of William's, and consequently not to be suspected of partiality in favour of his patron's enemy, the reader may perhaps be of another opinion. He performed, says that author, so many noble actions in war, so often did he overthrow, so often baffle his enemies, that he deserves eternal honour; for, as long as he was able, he supported the ruins of his falling country; nor would he suffer his countrymen to go unrevenge to the shades below; and when all the rest submitted to, and courted the Conqueror, he was proof against all temptations, and remained unsubmitting and unsubdued. This great chief was nephew to Brand, abbot of Peterborough. He had been banished in the reign of Edward the Confessor, for some outrages he had committed in his neighbourhood, and retired into Flanders. The death of his father obliging him to return to England, he found his estate given away to a Norman: hereupon he demanded restitution of it, but not being able to obtain it by legal process, he drove out the foreigner

by force, and took possession. This was precisely the time when, coming to Ely to avoid the king's displeasure, he was chosen general by the malecontents, who were there rendezvoused.

† From the MS. History of Ely, in the British Museum, marked *Titus A. 1.*

‡ Ordericus Vitalis clears both Edwin and Morcar from any ill design, and Morcar from having any share in the rebellion, representing his condemnation to perpetual imprisonment as a breach of faith, asserting that he had been prepanned into a voluntary surrender by the assurances of the king's messengers, who had in that respect abused his credit. This historian represents all Edwin's motions to have had no other object than the rescue of his brother, and that, having solicited the English, Scotch, and Welsh for six months together to join him, he was at length betrayed to the Normans by three brothers who were his followers, and entrusted with the care of his affairs. As he was on the road, with a small party consisting of about twenty horse, he was surprized by a much superior body of Normans, from whom he would have made good

not only stripped their monastery of all its rich effects, but saddled the brotherhood with the maintenance of forty horsemen; and when they came to pay him the thousand marks agreed upon, a groat happening to be deficient in the sum, he compelled them to pay pay him another thousand marks.

While William had been taken up with the siege of Ely, Malcolm, king of Scots, had entered the northern frontiers, and committed ravages with a barbarity unworthy a Christian prince, or indeed a human being; if what all the English historians have related may be depended upon for truth; therefore, no sooner had William completed the reduction of the people of Ely, than he turned his arms towards this invader of his realm*.

Gospatrik, who had made his peace with William had by him been created earl of Northumberland, on condition to be always ready with a body of men to defend these parts against the invasion of an enemy; but, on this occasion, he found himself unable to withstand the strong army with which Malcolm had entered the country, and therefore retired to Bamborough castle, where he fortified himself, and from thence made incursions upon Cumberland, at that time the appenage of the eldest sons of the kings of Scotland; and, by the cruelties he there committed, revenged on the Scots the calamities their king had brought upon the English.

By this time William, after a long, difficult, fatiguing march, had advanced as far as Nithisdale, on the Scottish borders, where he he found their army entrenched in a very advantageous situation. For the present, therefore, he encamped close by them, being willing to give his men some rest, and also to have an opportunity of observing more narrowly the dispositions and motions of the enemy's forces. In this manner the two armies lay facing each other for some days, each prepared for action, but neither side earnest to begin the attack, inasmuch as, from the equality of the numbers and the bravery of their men, the assailants must at the first expect some disadvantage.

The two kings, who were alike valiant and expert in military knowledge, were likewise wise enough to weigh the doubtful event of a battle and the fatal consequences of a defeat. This had such an effect upon both their minds, that they agreed to a treaty, which ended in a peace, on the following conditions: "that the boundaries of the two nations should be settled; that Malcolm should swear fealty to William, or do him homage, and also deliver hostages for his true performance of the conditions; and that William should restore the English exiles to their estates." In memory of this peace, we are told by the Scotch historians, that a cross was erected, on which were engraven the

arms of both kings, at a place called Stanmore, within Richmondshire. This cross was named by the English Rere-cross, and by the Scots Key-cross, that is Royal-cross; and a part of it was yet standing in the days of Camden; and was to serve as a boundary between Malcolm's feudal possessions in England, and those of William. And here we must not forget, that one article of this peace was that Edgar Atheling should be obliged to return home, make his submission to William, and renounce all right to the crown on receiving a maintenance from him.

Our historians are very lame in their accounts of this expedition of William's; they have not marked out his progress, and the first place we find him is in the wild mountains of Galloway, the most western province of Scotland: this seems as if he had made his invasion by sea, and had landed somewhere about Solway firth. As to the homage which Malcolm is said to have performed to William for all Scotland, though we find it roundly asserted by our English historians; yet it must be confessed, that ancient authors are very far from being explicit on this head. They tell us, indeed, in general, that Malcolm did homage to the king of England, but leave us in the dark whether it was for the counties which he held of the crown of England, or for the crown of Scotland. That it was not for the latter, the Scotch historians seem to have clearly proved, to every unprejudiced reader; and if for the former alone, it was a very poor amends for all the trouble and expence William had been at in this expedition†.

Peace being concluded between William and the Scots, he returned to Durham, where, however, he made no long stay; for being attacked with a severe fit of the ague, he left the place, after having deprived earl Gospatrik of the government of Northumberland, which he conferred on earl Waltheof, son of Siward, the brother of Malcolm's first wife, and husband to William's niece.

In the ensuing year, 1073, Philip, king of France, growing jealous of William's prosperity, and imagining that the multiplicity of affairs in England would so much employ his attention as not to leave him at leisure to mind the concerns of his patrimonial dominions, attacked the dukedom of Normandy, and in a short time made himself master of Mans; and Godfrey de Mayenne, with most of the gentry, joining the invaders, the Normans were driven entirely out of the country.

William, upon the first news of this attack on his Norman territories, raised an army, consisting entirely of English, and passed over to the continent. This army, when joined by some levies made in that country, amounted to fifty thousand men, with which William quickly retook the whole

good his retreat, had not a river he would have crossed been rendered impassable by the swelling of the tide. This resource failing him, he still made a gallant defence, and was slain on the spot, together with all his followers. His bravery, which would not suffer him to receive quarter, was not more remarkable than the charms of his person, for he was esteemed the handsomest man of his age. As he was universally beloved, his death was lamented by the Normans and French, as well as by the English: his unhappy fate extorted tears even from William, who, though he was a gainer by the treachery, punished the traitors who murdered him with perpetual banishment.

* A. D. 1072.

† Hemingford's account of this transaction is thus: "Anno Domini MLXXII. post Assumptionem Beatæ Mariæ cum audisset Wilhelmus rex mala quæ fecerunt Scoti, cum exercitu copioso & navibus multis in Scotiam profectus est, procul mis-

sis ad eum nunciis rogavit rex Malcolmus ea quæ pacis sunt, sciens se non posse dimicare cum eo; occurritque ei in loco, qui dicitur Abernithii, & homo suus devenit, FACTO HOMEGIO, & datis obsidibus multis, reversusque est Wilhelmus, usque Dunkelmun, ubi Castellum de novo construxit." Hemingf. cap. vi. p. 459. Gale's edit. The *Annals of Waverly* corroborate this account, but leave the article of homage as indeterminate as Hemingford, as appears from the following extract: "Sexto namque anno Willielmi regis duxit idem rex exercitum per terram & per mare in Scotiam, & eam ex parte maris cum puppibus obsedit & exercitum suum per terram apud Scadwade introduxit, & ibi nihil invenit unde melius esset; rex vero Malcolm venit contra eum, & concordatus est cum eo, & dedit illi obsides, & homo suus devenit." *Annales Waverl.* ad ann. MLXXII. Gale's edit. vol. ii. p. 131.

county

county of Mayenne, together with the castle and city of le Mans, that had revolted from him. On this occasion the English exerted themselves in such a manner as to afford most of our historians reason to lament that they did not shew an equal bravery and resolution in the vindication of their liberty, as in subduing foreign countries. William, after his success, obliged Philip to give him a safe and honourable peace; after which he returned to England*, where his presence became especially necessary on account of some commotions which had happened upon his leaving the island.

In the first place, a great civil difference happened between Lanfranc, archbishop of Canterbury, and Odo, bishop of Bayeux, the king's uterine brother: the former presuming on the great friendship William had always expressed for him, and thinking himself injured by Odo, in the latter's having wrongfully seized many lands belonging to the see of Canterbury, he sent over to William a formal complaint against this prelate; and the king, who well knew his brother to be of a turbulent and overbearing disposition, ordered the matter to be solemnly heard before an inquest, consisting of the most creditable persons, not only of the county where the disputed lands lay, but also of such other counties where the see of Canterbury had any possessions. This inquest was held, by commission from the king, at Pennenden heath, near Ailesford, in Kent; when, after a full and impartial hearing, Lanfranc received from his antagonist no less than twenty-five manors, in the several counties of Kent, Surry, London, Middlesex, Buckinghamshire, Oxfordshire, Essex, and Suffolk.

Another remarkable incident which fell out during William's stay in Normandy, was an attempt made by pope Gregory VII. named Hildebrand, to subject this kingdom to the dominion of the papal see. This pontiff, whose inordinate ambition and extraordinary insolence set half Europe in a flame, seems on this occasion to have mistaken in William the person he had to deal with; for, not contented with several messages he had already sent to the prelates of the English church on this subject, he, upon the king's return to his English dominions, sent one of his nuncios to him with letters, wherein he insisted on his doing homage to him for the kingdom of England as a fief of the Roman see, and at the same time demanded the arrears of Peter pence, that had not been collected for some years.

William, who perfectly well understood the difference between the church and the court of Rome, the former of which he at all times cherished with the duty and fondness of a loving son, while he was as constantly upon his guard against the ambition and encroachments of the latter, made an answer to this insolent demand of the pope's, which was truly worthy a king of England. As his letter well deserves to be transcribed, I shall make no apology for giving it to my readers in this place,

as published by the ingenious Mr. Selden, in his notes upon Eadmerus.

“ To the most excellent pastor of the holy church, Gregory; William, by the grace of God, king of the English and duke of the Normans, wisheth health in friendship.

“ Most holy father,

“ Your nuncio, Hubert, coming unto me in your behalf, advised me to do fealty to you and your successors, and to take better care in making good the payments of those monies which my predecessors were wont to remit to the church of Rome. One of these proposals I have consented to, the other I refused. Fealty is what I never have done, nor will do; inasmuch as I have neither obliged myself to perform it by any promise of my own, nor can I find that any of my predecessors have ever performed it to your's. As for the monies, they have been collected in a very bad manner for almost three years, during my absence in France: but now that I am, through the blessing of God, returned to my kingdom, I have sent, by the nuncio above-mentioned, what is already collected; and shall take care that the residue be remitted so soon as convenience will allow, by the legates of Lanfranc, our trusty archbishop. Pray for us, and for the good estate of our kingdom, seeing that we have loved your predecessors, and do desire sincerely to love, and obediently to hear you, above all others †.”

William followed this letter with a spirited decree, forbidding any of his subjects to acknowledge any person for pope, or to submit to any orders from the see of Rome, without his consent.

But the affair which gave William the most uneasiness, and which had chiefly contributed to hasten his return to England, was the advice which he had received of a dangerous conspiracy carrying on here, in his absence, by persons whom, of all others, he thought he had the least reason to suspect of disaffection. These were Normans, whom he had enriched by his bounty, and raised to the most eminent stations out of the love and esteem he had for them. Roger, the youngest son of William Fitzosborne, who succeeded to the English estate and earldom of Hereford, had, either by way of compliment to his sovereign, or in compliance with the forms of vassalage, applied to William for leave to marry his sister to Ralph de Guaer, earl of the East Angles, which request the king had peremptorily refused a little before he left England. However, as the young lady was not an heiress, and that the match had been in a manner concluded between the several parties, previous to Roger's application to the king, they resolved to take advantage of his absence to solemnize it, notwithstanding his prohibition, which was accordingly done with great magnificence, a great number of bishops, barons, and military officers being assembled on the occasion, and among the rest Waltheof the new-created earl of Northumberland.

* A. D. 1074.

† “ Excellentissimo sanctæ ecclesiæ pastori Gregorio, gratia Dei, Anglorum rex & dux Normannorum Willielmus, salutem cum amicitia. Hubertus legatus tuus, religiose pater, ad me veniens ex tua parte me admonuit, quatenus tibi & successoribus tuis fidelitatem facerem & de pecunia, quam antecessores mei ad Romanam ecclesiam remittere solebant, melius cogitarem. Unum admisi, alterum non admisi. Fidelitatem facere nolui, nec volo; quia nec ego promisi, nec antecessores meos

antecessoribus tuis id fecisse comperio. Pecunia tribus fere annis, in Gallia me agente, negligenter collecta est. Nunc vero divina misericordia me in regnum meum reverso, quod collectum est per præfatum mittitur. Et quod reliquum est per legatos Lanfranci archiepiscopi fidelis nostri, cum opportunum fuerit, transmittetur. Orate pro nobis & pro statu regni nostri, quia antecessores vestros dileximus; & vos, præ omnibus, sincere deligere, & obedenter audire desideramus.” Selden, p. 1631.

As the parents of the new-married couple were well acquainted with the severity of William's temper, and could not but be apprehensive for the consequences of having thus acted in direct opposition to his will, the conversation naturally turned upon that topic; when, after some severe strictures upon the king's conduct, and the tyrannical rule he pretended to, even in the domestic affairs of all his subjects, they fell upon his manner of treating the English, whom they affected to compassionate as a brave people, who were unjustly subjected to the arbitrary sway of a bastard and an usurper. By these and the like insinuations the noblemen present, already intoxicated with the fumes of wine, were inflamed to such a degree of temerity, that it was unanimously agreed upon to take up arms and depose William: and in the mean time it was proposed to solicit the assistance of Sweyn, king of Denmark, whom they knew to be a sworn foe to the Norman †.

The next day earl Waltheof, beginning to reflect coolly on what had passed over-night, either out of gratitude or fear, revealed the whole affair to Lanfranc, archbishop of Canterbury, who advised him to take shipping instantly, and go over to William, and discover all he knew. The earl followed his advice; and, when he came to the king, met with a most gracious reception. The disappearing of Waltheof, and some steps taken by the regency, soon gave the conspirators to know that they were discovered, and consequently that no safety was left for them but in their swords. Upon this they sent to the Welsh, who readily joining them, hostilities were begun; but, by the diligence of Odo, bishop of Bayeux, the king's brother and chief regent of the kingdom during his absence, the conspirators found most of their schemes disconcerted. Roger attempted to pass the Severn, but was prevented by Wulfstan, bishop of Worcester, and Urso, high-sheriff of the county. Ralph de Guaer advanced into the neighbourhood of Cambridge; but being defeated by Odo and Godfrey of Coutances, the justiciary, retired to his castle of Norwich, from whence he went over to France, hoping to obtain aid from king Philip, whom he well knew bore ill-will to William, notwithstanding the late pacification between them; and by that means he was in hopes to cut out sufficient work for William till the Danish forces should arrive, and throw the ballance of power into the scale of the confederates.

But all these towering prospects were soon overturned by the sudden arrival of William in England, who having settled the affairs of his dukedom, embarked about the middle of this autumn, 1074, and, landing safely in England, by the vigorous measures he took, soon put an end to the conspiracy. The earl of Hereford, Roger, finding that he was unable to make head against the king's forces, submitted; and, by William's orders, both he and Waltheof, notwithstanding his discovery of the plot, were committed to close imprisonment. The Danes, who, under Canute, the son of Sweyn, and earl Haco, were upon the point of making a descent in favour of the conspirators,

finding William prepared for their reception, or else being bribed by him *, laid aside their design, and retired with their ships to the ports of Flanders, where Ralph de Guaer went on board; and, being joined by his wife and family from England, repaired to an estate that belonged to him in Brittany.

William now summoned a great council at Westminster, where the case of those concerned in the late rebellion came under consideration; and they were proceeded against with the utmost severity. Of the inferior rank, some were punished with the loss of their eyes, others had their hands or feet chopped off; but no one act of William's drew upon him such deserved reproach as his treatment of earl Waltheof, who, notwithstanding the proof of fidelity which he had given in discovering the plot, was tried for being an accomplice; and, upon the information of his own wife, sentenced to lose his head. Lanfranc in vain exerted all his interest with William to save him; the stern Norman was inflexible, he was determined to quench every the smallest ember of rebellion with blood: besides, as Mr. Carte seems not unjustly to have observed, his being an Englishman of great power and property, and Ino de Taillebois and other Normans thirsting after his estate, added to the wickedness of his wife, who wanted to get rid of him as an obstacle in the way to another match she had in view, all these things made so against him, that his innocence proved insufficient to protect him from the malice of his enemies; and he was accordingly beheaded at Winchester, very early in the morning, on April 29, A. D. 1075. He was the last Englishman who retained any considerable power or interest in the nation. His corpse was at first thrown into a ditch, but a fortnight afterwards it was removed to Croyland abbey, where, by the monks and abbot, it was said to work miracles. William, who had good sense enough to laugh at these idle stories, and to resent them when made use of against his interest or will, was so much incensed at the abbot, that he deposed him, and put Ingulphus, the historian, into his place †.

From this time William seems to have kept no measures with the English, but to have studied every possible means to make them feel the whole weight of absolute power, and to rule them with the most rigorous sway, depriving some of their estates, and others of their liberty; so that we may truly say, with William of Malmesbury, "that England was become an habitation and dominion of foreigners."

The king having thus extinguished every spark of rebellion, by the punishment of the conspirators, resolved to turn his arms against Ralph de Guaer, and despoil him of his estate in Brittany. With this view he passed over into that country, with a large army, a short time after the execution of Waltheof, and laid siege to the castle of Dol, where Ralph then was, and who made so brave a resistance on this occasion, that William had it not in his power to effect his design against the place

† Tyrrel places this transaction A. D. 1076. the *Annals of Waverley*, A. D. 1075. and Matth. Paris, whom we have followed, A. D. 1074.

* William of Malmesbury is of this opinion, in his third book. Adam Bremenensis is so explicit on this point, that we will recite his own words: "There was an obstinate animosity between Swein and the Bastard, though our bishops, who

were corrupted by bribes, endeavoured to bring about a reconciliation between the two kings."

† Who, says Rapin, notwithstanding his obligations to William, has positively attested, in his History of Croyland, the truth of the miracles said to be wrought at Waltheof's tomb. *Rap. Hist. Eng. Will. I.*

before Philip, king of France, marched to the relief of the besieged, with a powerful army; and William, to his no small vexation, found himself under the necessity of drawing off his forces, and returning, after an inglorious campaign, and with great loss of men, to England*; where, during the rest of that and the following year, nothing remarkable happened, except a council held at London, to settle the precedence of bishops, of which we shall treat in its proper place.

Nor did this vexation come alone; for ambition, more prevalent than the ties of blood and nature, occasioned him new anxieties, and exposed him to fresh dangers and difficulties, from a quarter whence he assuredly had the least reason to expect them. In the beginning of the year 1077, Robert, his eldest son, called, on account of the shortness of his legs, Gambaron or Courthose, being privately instigated by the persuasions of Philip the French king, who promised him powerful succours in case of necessity, called upon his father in a peremptory manner to perform a promise had made in the French council, when he was at that court soliciting succours to carry on his expedition against England, that as soon as he should be master of that kingdom, he would leave Robert in possession of Normandy. It is certain that William had made such a promise, and had even renewed it in a dangerous fit of illness, declaring Robert heir to his hereditary dominions; but the disrespectful manner in which his son now reminded him of it, added to the natural dislike we have to part with power when once in our enjoyment, made William return this answer: "That he never used to strip till he went to bed, and that his son ought to wait till his decease."

The severity of this reply could not but be deeply felt by one of Robert's temper, who was naturally turbulent, imperious, and restless, fond of power, and full of vanity; nevertheless, it is to be believed that he would not have proceeded to any open act of disobedience, had it not been for the instigations of those who desired nothing so much as to set the father and son at variance; besides, a trifling dispute which happened about this time, between his brother William and him, and in which his father appeared to favour the former, so far inflamed his disposition, that he broke out into open rebellion. The plausibility of his claim to the dukedom, and the popularity of his person, soon gained him numerous adherents. His first step was an attempt to surprize the castle of Rouen by night; but Roger Iveri, who had received some intimations of the designs that were hatching by the prince and his friends, had put the place in so good a posture of defence, that Robert found his project defeated.

The king, apprized of this audacious attempt, immediately drew an army together, wholly made up of English, and passed over into Normandy, to put a stop to the proceedings of his rebellious son; and, with an expedition which is so peculiar to his character, advanced against him, and straitened him so much, that Robert was forced to apply to

the king of France for a place of retreat from his father's resentment. This Philip readily afforded him, by engaging the Vidame Helie to admit the prince into Gerberoy, a strong fortress in the Beauvoisis. Hither William followed him, and prepared to besiege the place in form. While the operations were carrying on, a number of skirmishes happened on both sides, which we shall pass over, to take notice of that remarkable action which brought about a reconciliation between the father and the son.

Robert having been joined by a great number of French noblemen and others, made frequent incursions into the Norman Vexin and the Pays de Caux, levying contributions, and plundering the inhabitants with great cruelty. William, to put a stop to these outrages, took the resolution to carry his approaches nearer to the place, in order to straiten the besieged, and keep them, if possible, within their walls. But Robert thinking it a disgrace to be thus shut up within a town at the head of an army, drew out his forces, and gave his father battle†. The dispute was bloody and obstinate; and William, dreading to see his dear-earned laurels torn from his brow by his own son, exerted himself beyond his strength; and his horse being killed under him, some say by an arrow shot from the arm of Robert himself, fell to the ground almost breathless, and being very corpulent and unwieldy with age, would certainly have been trod to death by the press, had not Robert, either by the sound of his voice, or from a glimpse of his face as he lifted up his beaver to get air, luckily recognized him. This sight awakened in the breast of the young prince all the sentiments of filial reverence and duty; he threw himself precipitately from his horse, flew to his father whom he lifted from the ground with infinite tenderness, and then, casting himself at his feet, implored his pardon for the difficulties to which he by his inconsiderate conduct had subjected the author of his life, and offered to lay down his arms and return to obedience. This generous behaviour, however, had no effect on William, whose soul felt the affront done him, too deeply to forget or to forgive it; nevertheless, as he himself had been greatly hurt by his fall, and his son William Rufus was wounded, and that the fate of the day was evidently against him, he took advantage of this circumstance to draw off his forces and return to Rouen. During his stay in this place, he was, by the intercession of his queen, reconciled to Robert: however, not caring to trust him, in his absence, on the continent, brought him over to England with him, on pretence of sending him against the Scots.

For in the preceding year, taking advantage of William's absence, they had, on what pretext is unknown, harassed the northern borders, and, at the latter end of August of this year (1079) Malcolm, with a royal army, fell upon Northumberland, and ravaged it as far as the Tyne. The Scots had been the more encouraged to this attempt as that country was then in a state of confusion,

* We are told, that previous to William's leaving Normandy, he had entered into a negotiation with Hoel, earl of Brittany, the powerful ally and protector of Ralph de Guære, and a peace was afterwards concluded at Bayeux; the principal article of which was, the marriage of Constance, William's daughter, with Alain Fergeant, Hoel's eldest son; and that the nuptials were solemnized at Caen with great pomp. Order. Vital. p. 543, 544.

† A. D. 1079. Some writers place this transaction A. D. 1077, among which are Hemingford and Mat. Paris. Thomas Wekes seems to confine it to 1078; but from the testimonies of Florence of Worcester, Simeon of Durham, the Chronicles of Melrose, the abbot of Peterborough, and others, not to mention the circumstances of the narrative, it appears to have happened in the order of time under which I have here ranged it;

occasioned by the murder of Walcher, bishop of Durham, who had drawn upon him the resentment of the populace on account of his favouring some persons who had rendered themselves obnoxious to them by their exactions and oppressions. But historians differ so widely in their accounts of this affair, that it would be only taking up the time of our readers to attempt to reconcile or digest them into an uniform narrative; thus much, however, is certain, that the insurrection raised on this account first gave Malcolm a prospect of success in his invasion; but upon William's sending his son Robert against him with a powerful force, as just related, he thought it most prudent to withdraw into his own country. Robert followed him; but, whether the Scot had the heels of him and sought his safety in a precipitate flight, or whether the prince, contented with driving the invaders out of the kingdom, did not chuse to risk an engagement, which the fortune of war might have turned against him, does not clearly appear: however, Robert did nothing more remarkable in this expedition than laying the plan, and building part of a town on the banks of the Tyne, which he then called Monkcester, as being the habitation of monks, but which has since become one of the most considerable towns in the kingdom, and is at present well known by the name of Newcastle upon Tyne. This war ended in a treaty between the two nations.

Robert, upon his return to court, found a great coldness in the king his father towards him; this determined him not to continue in a place where he was looked upon with an evil eye, but at the same time he resolved that no behaviour of his father's should ever make him again take up arms against him. His first voyage was in the summer of 1080, into Italy, where he had some hopes of obtaining a daughter of the marquis Bonifacio to wife; but finding himself disappointed in that match, he travelled from one prince's court to another, and among his relations in Gascony, Lorraine, and Germany. In this manner he passed five years; in every place where he made any stay, he received magnificent presents in money, and other valuable effects, all which he squandered away upon his pleasures, in company with Robert de Belesme, a dissolute young nobleman who was his favourite. At last he fixed his residence in France; where he continued till his father's death, without attempting to make any disturbances in his territories.

The year 1081 began with some skirmishes with the Welsh, who made incursions upon those parts lying nearest to them; but William, not having yet disbanded the army he had raised against the Scots, soon quelled these disturbances; for the Welsh princes finding themselves in no condition to keep

the field against the powerful forces William was able to bring against them, voluntarily submitted, and obliged themselves to pay an annual tribute to England. At this time also we may place the settling of the Welsh marches; Hugh de Abroncis, or d'Avranches, being made earl of Chester by William, and invested with the office of lord warden of the Welsh borders, in the room of earl Gherbod, who was taken prisoner in Flanders.

As William at this time had his residence chiefly in London, he took advantage of the tranquility which the submission of the Welsh, and the peace lately concluded with Scotland, had introduced, to take such steps as he thought most likely to secure the citizens in their obedience, whose fidelity he had long suspected, and to put this capital out of danger of any external attempt: accordingly, in the latter end of this year, he laid the foundation of the tower of London*, which some writers, overfond of antiquity, will have to be originally founded by Julius Cæsar. But it would be very difficult for them to prove that Cæsar was ever at London, and still more so to prove that he undertook this work, since we do not find the least mention of it in his Commentaries; and certainly he never would have omitted so material a fact.

William, who was as great an œconomist as he was a warrior and a statesman, always took care to keep his coffers well filled, and ready to supply his occasions on any sudden emergence or difficulties that might happen; and as all rebellions at home, all opposition abroad was now quieted, he took this time to carry into execution a plan for ascertaining the true value as well of his own demesnes as of his lands held by tenants in capite, or by knight's fee. He was also desirous of knowing exactly what impositions his subjects, both Norman and English could bear. With these views, therefore, he sent some of the most eminent of his prelates and nobles† as commissioners into the counties respectively allotted them, to take a general survey of the kingdom. This survey was given in by the verdict of juries, sworn in every county, hundred, or wapentake, before the respective commissioners. In this account they were obliged to specify the real extent and value of what arable land, pasture, meadow, or wood was possessed by every individual, as well at the actual time of this survey as in the reign of Edward the Confessor. The survey was made by counties, hundreds, towns or manors, hides‡, virgats§, and acres; and likewise contained the number of mills and fisheries, in some counties; and in others the number of freemen, socmen¶, villains¶¶, cottagers, bordars**, slaves, cattle, sheep, hogs, cattle for draught, and other animals in each town or manor, and the names of those to whom they belonged. It was six years

* From the MS. Register of the church of Rochester.

† As appears from the names of the following persons, who were joined in the commission for Worcester, viz. Remigius, bishop of Lincoln, Walter Giffard, earl of Buckingham, Henry de Ferrieres, earl of Derby (a son of Gualihelm de Ferrieres, a follower of William, who was possessed of one hundred and seventy-six lordships or manors in Derbyshire), and Adam, brother of Eudo, steward of the household to the king. This Adam, who was third son to Hubert de Rie, a faithful adherent to William when only duke of Normandy, was entrusted by him in his negotiations with Edward the Confessor, about the succession to the crown; and after William was settled on the English throne, had great possessions assigned him in Kent, as a reward for his eminent services.

‡ A Hide is a portion of land as much as one plough can labour, and supposed to be sufficient for the maintenance of

one family for a year.

§ The Saxons called this Gardland, now commonly called Yardland: it consisted of a certain quantity of land, or part of a hide, differing in various places, and is in some twenty acres, in others twenty-four, in others thirty, and in some others amounts to thirty roods.

¶ Socmen were tenants who held by no certain tenure, but paid their rent as a Soke, or sign of freedom.

¶¶ Villains were persons of a low and servile condition, bound to a certain and bodily service. The landlord could deprive them at pleasure of their lands, goods, and chattels; and compel them to pay redemption-money before they could give away their own daughters in marriage.

** Bordars, or Bordarii (from the French *bordier*), were cottagers who supplied the lord of the manor with poultry and eggs.

in taking, not being finished till the beginning of 1087, and was drawn up in two books; the lesser describing the counties of Norfolk, Suffolk, and Essex, the great one containing all the rest of the kingdom, except the three northern counties of Westmoreland, Cumberland, and Northumberland. This book, according to Ingulphus, who lived at the time wherein it was made, was called the Roll of Winchester, because originally kept at that cathedral; afterwards it was named Domboc, or Domesday Book, "because (says Carte) every man was to receive his doom, or be judged, by it, in case any dispute about the value, tenure, payment, or services of his lands, should arise upon the collection of the king's ordinary revenue, or the raising of extraordinary taxes*." This being the highest record in the kingdom, it was then (and is to this day) a decisive evidence in any controversy in which there may be occasion to appeal to it. The care of these books is committed to the chamberlain of the Exchequer, in whose office they are always kept.

That the reader may have the clearer conception of the manner of entering the lands in these books, we shall here give him an extract from the Little Domesday Book in the Exchequer, fol. 450. In the top of the leaf is entered.

ESSESSA, terra regis dimid. hundred. de WITHAM.

Witham tenuit Heraldus T. R. E. (i. e. tempore regis Edvardi) pro maner. & pro v. hidis tunc xxi. villan. modo xv. tunc ix. bordar. modo x. tunc vi. serv. modo ix. tunc xxiii. sochemanni, & modo similiter; tunc inter totum valebit x. lib. modo xx. Sed vicecomes inter suas consuetudines & placita de dimid. hundred. recipit inde xxxiii. lib. & iv. lib. de gersuma. In hoc maner. adjacebant tunc xxxiv. liberi homines qui reddebant x. sol. de consuetudine & xi. d. ex illis tenet Ilbodius ii. de xlv. acr. & val. vi. sol. & redd. maner. suam consuetudinem. Tedricus Pointel & de dimid. hid. & xxii. acr. dimid. reddentes consuetudinem. Ranulph Peperel x. de ii. hid. & xlv. acr. non reddentes consuetudinem. Willielmus Grosse v. & unus tantum reddit consuetudinem & val. iii. lib. xiii. s. Rad. Baignard vi. & unus redd. consuetud. & val. xx. s. Hamo dapifer i. de dimid. hid. & val. xx. s. Goscelinus Loremarus habet terram unius & non redd. consuet. &c. Modo custodit hoc manerium.

Petrus, vicecomes, in manu regis.

That the English reader may not be unacquainted with this curious extract, we shall give him Brady's translation of it, with some trifling alterations.

Essex, the king's land. The half hundred of WITHAM.

Harold held Witham, in the time of king Edward, for a manor, and for five hides. There were in that king's time twenty-one villains, at present fifteen; at that time there were nine bordars; at present ten; then there were twenty-three socmen, now the same number; then the whole was valued at ten pounds, now at twenty: but the

viscount or sheriff received from the half hundred, for his customs, mulcts, or forfeitures, thirty-three pounds, and four pounds for fine or income. In this manor there were, in the time of king Edward, thirty-four freemen, who then paid an accustomed rent of ten shillings and eleven pence; of which Ilbod holds two, containing forty-five acres, of the value of six shillings, which paid their old rent to the manor. Tedric Pointel holds eight, having half a hide and twenty-two acres and a half, paying custom or old rent. Ranulph or Ralph Peperel holds ten, with two hides and forty-five acres, which paid no custom or old rent. William Grosse holds five, only one of which paid custom, and were valued at three pounds thirteen shillings. Ralph Baignard holds six, one of which paid custom, and were valued at twenty shillings. Hamo† the sewer, or steward, holds one, who had half a hide, valued at twenty shillings. Joscelin Lorimar has the land of one, and pays no custom.

Peter, the viscount or sheriff, keeps this manor in the king's hand.

But however exactly this survey might have been performed in general, it was impossible, on account of the extensiveness of its design, that it could have been minutely so; on the contrary, we find that several towns or villages, held by feudatories or under-tenants, are omitted; and, indeed, the king seems to have intended nothing more by issuing this commission than, as we have already observed, to get an account of his tenants in capite, and to see what taxes the nation could bear. Accordingly, several great towns and cities of note are not so much as mentioned, as may be found from comparing this survey with an exact catalogue of the towns and cities in England. London, which made so considerable a figure in those days, is taken no notice of; and even with respect to the places registered in this survey, it appears that the assessors were far from being very exact or very just. Ingulphus himself owns, that they favoured his monastery considerably; and it is not to be doubted but that they behaved in the same manner to other abbeys as they did to that of Croyland‡.

Whilst William's commissioners were engaged in taking this survey, he went over to Normandy, where he held a great council or synod of the clergy, but returned soon again into England:

For, in the year 1082, Odo, his uterine brother, bishop of Bayeux and earl of Kent, who, as chief justiciary of the kingdom, was the second person of the realm, had, during the several times of his governing the kingdom in William's absence, amassed immense sums by the most illegal and oppressive methods; and, upon an idle prediction of some itinerant astrologer or fortune-teller, that Gregory, then pope, should be succeeded by one Odo, resolved to employ them in purchasing the papacy. With this view he had, in the beginning of this year, bought a palace at Rome, which he fitted up in a most superb manner, and had employed a number of agents there, to engage the

* Stow imagines that the word Domesday, by which we at present call this book, is a corruption of *Domus Dei*, the name which it might have received from its being lodged in the church (of Winchester), which is styled *Domus Dei*, or the House of God.

† Brady makes this a surname, but in the Latin he reads it "homo dapifer," which signifies only a Steward. Gale's edition of the Domesday Book reads *Amo*, which shews it to be

a surname.

‡ The reader owes this observation to Mr. Rider, who, in his *History of England*, vol. v. p. 112. tells us that he took it from a MS. note in the Polydore Virgil belonging to St. Paul's school, London (of which he is now sub-master.) The writer having shewn that Virgil's account is not consistent with the Domesday Book, proceeds thus: "Non censatur Londinum," &c.

cardinals and other great men in his behalf at the next election. But, judging his presence would be essentially necessary to the success of his designs, he purposed to withdraw privately out of the kingdom, and go over to Rome to reside till the death of Gregory should open a way to the succession. He took all his measures with the utmost secrecy, and even persuaded Hugh d'Avranches, earl of Chester, together with a great number of his adherents and tenants, to follow him into Italy, with large promises of making their fortunes out of the spoils of St. Peter's church.

These proceedings, however, were not so effectually concealed but that William got advice of them, and was, with reason, apprehensive that the kingdom and himself might be considerable sufferers by the loss of so many noblemen of great property, and the immense treasure which Odo was carrying away with him: he, to whom forming and carrying into execution a design was the work of the same instant, transported himself over to England so suddenly, that he came upon Odo and his attendants as they were just ready to embark from the Isle of Wight, on board a ship that was to carry them to Italy; and suddenly bursting into the house where they were all assembled, he ordered the bishop to be seized immediately; but finding that fear and respect hindered his officers from doing their duty, he laid hands on him himself*. In vain did the bishop plead the privileges of his order; the king told him, that he seized him not as a bishop, but as earl of Kent and his vassal, and commanded him to be kept in safe custody. The seizure of the prelate's person was followed by the confiscation of all his effects (which amounted to incredible sums) for the king's use; and numberless extortions being proved upon him, William ordered him to be transported to Normandy, and imprisoned in the castle of Rouen, where he remained till the king's death, notwithstanding all the efforts of pope Gregory, who soothing and threatened William in his behalf. This behaviour of William did infinite honour to the vigour of his administration in the opinion of all the princes of Christendom, most of whom were at that time little better than slaves to the imperious pontiff of Rome.

An epidemical distemper which had broke out and raged with great fury in Normandy, detained the king longer in England than he intended. In order, therefore, to amuse himself during this constrained absence from his native country, in favour of which he was warmly prepossessed, he passed his time in hunting, a diversion of which he was fond to a degree of infatuation; and the measures he took to gratify himself therein were no less absurd than tyrannical: he destroyed all the villages, churches, and houses in Hampshire, within the compass of thirty miles, to make a forest in which he might follow his favourite pastime without molestation; and, if historians may be credited, he never made the least amends to the many inhabitants whom he by this means deprived of their lands and houses. The tract of land he thus depopulated was called before Ytene, but afterwards it took the name of the New Forest. The injustice and cruelty of this measure, whereby William deprived

so many of his subjects of their subsistence and amusement, gave rise to several bitter invectives from the sufferers, who styled him the Father of Wild Beasts; but so far was he from endeavouring to conciliate the minds of his people by any act of benevolence or kindness, that he followed this last instance of oppression by enacting the most severe laws relating to forests, whereby he claimed an absolute right and property in them, forbidding, on very severe penalties, any person to hunt therein, without his express permission. Such an ordinance could not but appear very grievous both to his Norman and English subjects, and in particular to the nobility, as it debarred them the use of their favourite pleasure, the only one which, in that illiterate age, they had to amuse or pass their tedious hours. This conduct is hardly to be reconciled with William's usual prudence, which directed him always to take the most proper seasons for the execution of his measures; unless we suppose, that, finding himself now firmly secured on the throne, he might imagine he had no longer any occasion to lay himself under restraint, but might give a loose to his inclinations, however oppressive to others, without being apprehensive of consequences.

These and many other oppressions which the English suffered under this king, plainly shew that they did not complain without cause; though, perhaps, their impatient behaviour might sometimes have exasperated William to harsher measures than he would otherwise have pursued. But be this as it will, it is certain they were at this time reduced extremely low, and beheld, without daring even to murmur, the Normans enriched with their spoils; nay, William even endeavoured to abolish the English tongue and introduce his own into its place. He did not, indeed, dare absolutely to abrogate the laws of Edward the Confessor, but he introduced divers alterations in the modes of administering justice. He ordered all the laws to be published in the Norman tongue; and no other was heard at court. He erected schools in all the towns and boroughs of the kingdom, the masters whereof were Normans, and taught in that language; and all parents were commanded to send their children to these seminaries, under severe penalties.

In the year 1084, we find William imposing a tax in England of no less than six shillings upon every hide of land, which was three times as much as Danegelt used to be. This brought a prodigious sum of money into his coffers; and one would be tempted to think that William had acted from some secret presage, since he soon found occasion to employ the monies he had thus raised, in preparations against an invasion he was threatened with from Denmark, which happened the succeeding year.

The king was, in the latter end of the autumn, called over into Normandy, by the sickness of his queen Matilda, or Maud, of whom he was tenderly fond, and who resigned her breath in his arms soon after his arrival. He was so much afflicted at her death, that he abstained from his usual diversions for ever after. Her funeral he celebrated with great magnificence in the nunnery of the Holy Trinity, at Caen.

* Speed gives us a flaming speech, which he makes William to have uttered on this occasion, and which may be found transcribed by Rider; but as the authenticity of it seems very du-

bious, we have purposely omitted it in this work, the intent of which is to instruct by the relation of facts, rather than to amuse with rhetorical flourishes.

In the midst of his sorrow, however, he found himself alarmed by an insurrection that broke out in le Maine, and was fomented by the nobility, who were not reconciled to the Norman government. These disturbances lasted upwards of three years, and many persons of noble birth and exemplary valour lost their lives on both sides, till at length William, finding he could not quell the disaffected party by force, made a treaty with the chief of them, by which matters were again settled on a quiet footing. But from William's known military skill, and the great number of veteran troops he had at his command, there is the greatest reason to believe that he would have reduced the insurgents much sooner to obedience, had he not been called off the very next year after his going over to Normandy, by advices that the Danes were actually ready to make a descent upon England with a strong naval armament, which was to be joined by the forces of Robert, earl of Flanders, with whom the king had for some time been upon very bad terms.

William, upon the first notice of the storm that threatened him, crossed over to England* with a numerous army of mercenaries from Spain, France, and Germany, well knowing that he could expect little assistance from the English whom he had lately governed with such an iron sway; on the contrary, he dreaded, with reason, that they would by a general insurrection favour the attempts of the enemy. In order, however, to guard against these consequences, he distributed his foreign forces all over the kingdom, obliging the nobility to furnish them with provisions, and quartering considerable numbers on the monasteries†.

Canute IV. king of Denmark was no sooner settled on the throne that he began to form a design of asserting his right to the crown of England, which his predecessors had always kept alive since the first conquest of this kingdom by Canute the Great. In this present design, however, the Dane appears to have been guided chiefly by the instigation of his father-in-law the earl of Flanders, between whom and William, as I have before observed, there had for some time been an animosity, and who promised to assist in the expedition with all his forces. The preparations made by Canute on this occasion were very extraordinary, and had taken him up no less than two years. He had a formidable fleet, amounting to near a thousand sail, on board of which he embarked a prodigious quantity of warlike stores, with provisions sufficient for the maintenance of an hundred thousand men. He had assembled all his forces, and his fleet lay ready to sail, when William returned to his English dominions and took those precautions we have already related. Whether the knowledge of these, or the disagreement between himself and his brother Olaus, as some historians affirm, or else a mutiny among his sailors, might be the occasion, it so happened, that Canute was obliged to abandon his designs against England‡, and William was rid of an enemy, of whom he was peculiarly apprehensive on account of his connections and in-

terest with the natives of this island. When he had certain intelligence that the Danish expedition was laid aside, he disbanded one half of his troops, but kept the remainder together till winter, to prevent a surprize. The Saxon Chronicle tells us that he passed his Christmas holidays this year at Gloucester, where he disposed of the vacant sees of London, Thetford, and Chester, to his three chaplains, Maurice, William, and Robert.

In the following year (1086), according to Florence of Worcester and others, it was that the king knighted his son Henry, at Westminster, in Whitsun week; and on this occasion summoned all his prelates, nobility, and the most considerable of his military tenants throughout the kingdom, to attend him, on the first of August, at Salisbury, there to take an oath of fidelity to him before his intended voyage to Normandy, and at the same time obliged them to enter into an association to defend his person and government against all attempts of his enemies. No sooner was this ceremony performed than he gave them a specimen of what they were to expect from the engagements they had so lately entered into; for while he was waiting in the Isle of Wight for a fair wind, he issued out his warrants for levying money upon his subjects, on account of the order of knighthood he had conferred on Henry, it being a Norman custom to make their prince presents when he knighted any of his sons; and this custom was too flattering to William's avaricious disposition not to be introduced by him into England on the very first opportunity: and, indeed, it was no difficult matter for him to lay what burthen he pleased on the English, since he had only to command and be obeyed.

When he set sail for Normandy, he took Edgar Atheling with him, whom he still looked upon with a jealous eye, notwithstanding the conduct of this prince plainly shewed him to be divested of every spark of ambition, and fitted, both by talent and inclination, for the humble state of a private nobleman, rather than the exalted dignity of an English monarch. Edgar, on his side, could not forbear entertaining some suspicions of William; and knowing his fiery and revengeful temper, trembled for his own safety, in case his lordly keeper should take it into his imagination that he was engaged in designs against his person or authority; he, therefore, applied to him for leave to go to the Holy Land, in company with Robert, the son of Godwin, to fight the infidels. This request was music to the ears of William; he immediately consented to his proposal, and, to cover the joy he conceived at his removal, under a shew of regard to his person, he loaded him with presents; and Edgar set out with a splendid equipage, and accompanied by two hundred English gentlemen, who, having been deprived of their estates in their own country, resolved to try their fortunes in other climes. At the same time Edgar's unmarried sister, Christina, who had all along lived with him, in order to remove every cause of jealousy from William, took the veil in the monastery of Bermonsey.

* About the middle of the year 1085.

† That of Croyland, according to Ingulphus, was obliged to maintain six knights and twenty-eight archers; and the others in proportion to their opulence and extent.

‡ This prince seems to have had very ill success in his designs upon this island, for when he resumed them in the time

of William Rufus, and every thing was ready for the expedition, he was assassinated by his own brother Olaus, at the foot of the altar, as he was recommending himself and his cause to heaven before he embarked; upon which all his armament was dispersed. *Chron. Mailros. Chron. Saxon.*

The year 1087 was marked by a dreadful famine which raged in England, and was one of the melancholy consequences of that general despondency which had seized on the oppressed English, who, having no longer any property they could call their own, lost the spirit of industry, neglected the culture of the lands, as they knew they worked only for others, and thought that scarcity was at least as tolerable an evil as slavery: this universal neglect begat famine, famine diseases, and both of them jointly mortality; so that an incredible number died in the space of a few months. To add to their calamities, almost all the chief cities in England were, at different times, partly consumed by fire, amongst which the greatest part of London, together with the cathedral of St. Paul, were reduced to ashes*.

These disasters, however, seem to have made little impression upon the heart of William, for we do not find him remitting any part of the burthens he had laid upon his people; on the contrary he began to make preparations for invading the dominions of Philip, king of France, on some disputes which had happened between them†. Raising, therefore, a great army, of such who chose rather to die by the sword in any country, than perish by want in their own, he entered the Isle of France, which he wasted for some time in a furious manner; but finding himself oppressed with years and corpulence, he accepted certain proposals of peace made to him by Philip. But soon after falling ill, he was constrained to keep his bed at Rouen: the news of this being carried to Philip, he, who had so lately spoke the language of a suppliant, now gave a loose to the most unmanly exultation; and William having been advised to go through a course of physic in order to reduce his corpulency, which detained him longer than he either expected or intended, Philip one day asked, in a scoffing manner, "Whether the good woman of England was still in the straw?" which unseasonable sarcasm being reported to William, it raised all his indignation, and he swore by the brightness and resurrection of God, that, as soon as he was on foot again, he would present the taunting Frenchman with such a number of candles‡ as should make his residence too hot for him.

And now anger and resentment getting the better of his distemper, about August William was able to take the field; and putting himself at the head of a great army, he entered France, where he left no kind of ravage uncommitted, in order to fulfil the promise he had made: towns and churches, the nobleman's palace, and the labourer's hut, alike felt his fury; and death, desolation, and flames, marked his progress wheresoever he went. The

city of Mantes, in a particular manner, experienced his vengeful rage; for having made himself master of it, he gave orders to burn it to the ground; and while the conflagration was raging, he rode up and down the streets as it were in triumph, to glut his eyes with this sacrifice to his resentment: but as he was passing amidst the smoaking ruins of the houses, his horse happened to set his feet on some hot ashes||, and plunging forwards with great violence, threw the king almost over his head, and bruised the lower part of his belly so much against the pommel of his saddle, that he contracted at once a rupture and a fever; and being unable to bear the pain, he was forced to return to Rouen.

There finding himself grow daily worse, he was, by his own orders, removed in a litter to the priory of St. Gervais, belonging to the monks of Felchamp, where he was attended by two of the most able physicians of those days; but his disorder proving beyond the reach of their skill, he was given to understand that nothing remained for him but to prepare for his latter end.

Upon this awful admonition he sent in all haste for Anselm, abbot of Bec, afterwards archbishop of Canterbury, a man in great repute for his learning and exemplary piety, fondly thinking to obtain that by his prayers, which he found he must not hope for from medicine: but herein he found himself disappointed, Anselm being at that time sick in bed himself, and not able to attend him. William then ordered his treasures to be distributed among the poor, as some atonement for the miseries he had made them suffer. He confessed his sins, he took the sacrament, he left nothing undone, that, in the opinion of that bigotted age, was most likely to bribe heaven in his behalf. Among other acts of mercy, he ordered Morcar, Roger Siward, son of Siward Bearn, and Ulnoth, brother to Harold (who had been an hostage in Normandy ever since the year 1052) to be set at liberty, together with all other persons that were imprisoned either in England or Normandy. Those who were about him, taking advantage of this lenient disposition, made application to him in behalf of his brother Odo, then in confinement; but William, whose intellects were not impaired by his bodily infirmities, knew too much of the temper and character of that prelate, easily to comply with this request: at length, however, overcome by the solicitations of Odo's brother Roger, count of Mortain, he consented to his enlargement.

Perceiving now that his last moments were approaching apace, he betook himself to settle his worldly concerns: he called together his friends and sons, but two only of the latter were present, Robert and Henry; he then, according to Ordericus

* Would it be deemed uncandid, if in this place we were to offer a suggestion, that some of these conflagrations might have been owing to the oppressed, who took this way, the only one in their power, of being revenged on their oppressors?

† Some historians impute the cause of this rupture to a trifling incident, which they thus relate: Henry, the youngest son of William, is said to have had a quarrel with Philip's eldest son, surnamed Lewis le Gros, at Conflans Honore, as they were playing at chess. Lewis, having a run of ill-luck, was so out of humour that he made use of ill language, called Henry the son of a bastard, and threw the chess-men at his head. Henry, enraged at this affront, threw the chess-board in Lewis's face with such violence as laid him bleeding on the ground, and would have killed him if he had not been prevented by his brother Robert, who thought it adviseable to make their escape. The two brothers immediately mounted

their horses, and were closely pursued by some men sent out for that purpose. Luckily for them, they were met on the road by Baldwin de Harcourt, and Fulk, count of Beaumont sur Oyse, who, being apprized of their danger, had advanced with a party to their relief, and repulsed the pursuers to the very gates of Conflans.

Philip resented his son's wound so highly, though he had been the aggressor, that he ordered his troops to pass the Oyse, and ravage the province of Normandy.

‡ Alluding to the custom of those days, in which women presented wax tapers at the altar, upon their being churched after lying-in.

|| Wace's MS. history. Matthew Paris asserts, that he received this injury as he was leaping his horse over a ditch: his words are, "Præruptam fossam equus regis transiliens, interiora disruptuit infidentis." Matt. Paris. *Hist. Maj.* p. 11.

Vitalis, made a long speech*, in which, after lamenting his manifold acts of oppression and bloodshed, most of which he seems desirous to have attributed rather to the circumstances of the times, than to his own inclination, he proceeds to bequeath the dukedom of Normandy and the province of le Maine to his eldest son Robert, as his inheritance by birth-right†. As to the succession to the crown of England, he confessed that he could not pretend to bequeath it as any part of his patrimony or inheritance, but wished that his son William, who had always behaved the most dutifully to him of any of his children, might inherit it after his decease‡. To his third son, Henry, he left no more than five thousand marks||; which appearing to the young prince so inconsiderable a portion in respect to what his father had bestowed on his other brothers, he could not forbear bursting into tears, and demanding of the dying king what he had done to offend him, that he had thus scantily provided for him? William endeavoured to comfort him by prophetically foretelling that he should one day succeed to the whole, and surpass his brothers both in power and riches; a prediction which the event indeed fulfilled, but that we may easily believe to have had its rise solely from William's knowledge of the dispositions of his own children, and that of the English nation, and not to any supernatural foresight.

William having thus settled his temporal concerns, and being now desirous to go out of the world as quietly as possible, ordered himself to be removed to a village called Hermantrude, lying on the river Seine, over against Rouen, where he expired soon after, viz. on Thursday the ninth of September, A. D. 1087§, in the sixty-first year of his age, after having reigned fifty-two¶ in Normandy, and one-and-twenty in England**.

Some accidents attended his corpse after his death, which have been deemed sufficiently curious to entitle them to a place in the historic page. No sooner was it rumoured abroad that William had paid the last debt of nature, than every one about his court immediately deserted the lifeless body of their prince, and fell to plundering his coffers and what other valuable effects were about him; nay, to such a height did they carry their rapaciousness, that they even stripped the carcase of the rich mantle which covered it, and left this mighty Conqueror, whose nod had decided the fate of thousands, naked and exposed, like the meanest outcast of the world, whom poverty and hunger had stretched breathless in the highways. At last, one Hurlieu de Conteville, a country gentleman, was generous enough to have the body embalmed and

prepared for interment, at his own expence, in the church of St. Stephen, at Caen, where the deceased monarch had, by his will, desired it might be deposited.

There the abbot and the monks of the convent came out to meet it, and the procession was increased by great numbers of citizens and others, desirous to do honour to the deceased, whose favourite town this had been, adorned by his care, and enriched by his munificence: but in the midst of the solemnity, a fire breaking out in the town, every one ran to assist in quenching it, and the royal body was again left to itself.

The fire being happily extinguished, the obsequies were resumed, and a funeral oration was pronounced by Gilbert, bishop of Evreux, who, with six other prelates, attended on the occasion. And here, as if every thing relating to the latter end of this prince was to be out of the common order of things, just as they were going to lay him in the grave, one Ascelin Fitzarthur, a vavasor (or Norman gentleman), pushing through the crowd, and standing upon a high stone, called with a loud voice to the prelates that attended, forbidding them to inter the body in that place, which had been the area of his father's house, unjustly seized by William, whom he now summoned before the divine tribunal, to answer for that act of oppression. The bishops, startled at the solemnity of this invocation, agreed to give him thirty sols for leave to bury the dead for the present; and his son Henry promised to make him satisfaction for his estate, in case his claim should be well grounded.

When the corpse was to be put into the ground, the grave being either too narrow, or the stone coffin too straight, in trying to force it down, the belly of the deceased burst, and occasioned such an intolerable stench, that the people all quitted the church, leaving the prelates to hurry over the service as fast as they could.

Thus lived and died William I. commonly called the Conqueror, to give whose character with that partiality which becomes every just historian, would be to blend truth with contradictions. As to his natural parts, envy itself must allow them to have exceeded most of the age in which he lived; nay, perhaps of many antecedent or subsequent: he had a genius which was continually prompting him to the greatest actions, and a resolution fitted to carry him through the most arduous enterprizes. Inured to hardships from his earliest youth, the toils of war were to him familiar; and those changes of fortune which would have deterred others from their pursuits, were to him but so many incentives to a more powerful exertion. In politics he appears

* Some represent this as a will, committed to writing by notaries; but on account of its great length, and that it is of doubtful authenticity, we have thought immaterial to insert it.

† From Wace's MS. history, and Fragment. Will. Conq. in Walsingh. p. 30.

‡ Before his death, William is said to have delivered to his son a letter, signed with his own signet, and addressed to archbishop Lanfranc, soliciting his interest in his behalf; and having kissed him, and given him his blessing, ordered him to make the best of his way to England, in order to prevent any commotions that might arise.

|| Authors are a good deal divided with regard to this legacy left Henry; some say that he had five thousand marks a year; others, among whom is Vitalis, that he had only five thousand marks in all; which last is the most concurrent opinion.

§ The dying king (for kings must die) having raised his weak body upon the pillow, heard the sound of the great bell

in the metropolitan church of St. Gervais, near Rouen, and demanding the cause, one replied, that it did then ring prime to our Lady; whereupon, with great devotion lifting his eyes towards heaven, and spreading abroad his hands, "I commend myself (said he) to that blessed Lady Mary, Mother of God, that she, by her holy prayers, may reconcile me to her most dear Son, our Lord Jesus Christ." And with these words yielded up the ghost. J. H. *Life of Will. I. Harl. Miscell.* vol. ii.

¶ And not forty-two, as Rapin mistakenly has it; for it is evident his government of Normandy commenced from the death of his father Robert, which happened on July 2, A. D. 1035.

** Wanting thirty-five days, computing from the death of Harold; but if we reckon from his coronation on December 25, 1066, it will be found to want almost four months of that time.

to have had more craft than wisdom, and his avarice frequently got the better of his attempts towards popularity; for while, in the disposal of those lands of which he deprived the English, he considered only the merits of the highest bidder, he even created himself enemies among those of his Norman followers, whom he, by this distribution, affected to oblige. In some instances he was superfluously generous, in others penuriously economical. With respect to his government, he was guided by his natural disposition, which seems to have been haughty and vindictive: averse to controul, he looked upon every opposition to his will as an unpardonable crime; and yet we find him easily forgiving the most flagrant outrages upon his person and authority. With all the exterior of submission to the clergy, no king ever confined their power within more narrow limits: a professed subject to the church of Rome, no monarch ever made a more glorious stand against any attempt of that see to dictate, in ecclesiastical matters, to the people over whom he ruled; and the reply he made to the insolent demand of pope Gregory, will be a lasting monument of his resolution to maintain the independency of the English church. The measures which he followed to maintain himself on the throne, were such as must render his memory justly abhorred by every son of liberty; for he not only dispossessed the natives of this island of their birth-rights and lawful inheritance, but even attempted to annihilate their customs and language, that, by introducing the manners of his Norman subjects, he might the more easily bend their noble minds to the yoke of arbitrary power. Friend as he affected to be to the monks and their manner of life, he likewise subjected them to the same rigorous exactions which he imposed upon the rest of his subjects; he stripped them of those privileges which had been given them by the devout race of the Saxon kings; he changed or abrogated many of their charters, and subjected their lands to military service. In a word, his lenity and severity, for which he has been execrated or praised, according as historians have favoured or disapproved his cause, seem to have been the result of the immediate circumstances in which he found himself at different times, and to have proceeded more from political considerations, than from any particular disposition or turn of mind in himself. A partiality to his own country appears to have been his prevailing passion; to that he often sacrificed justice and the paternal care which every king owes to the people over whom he rules, whether called to the government of them by election or the right of inheritance; and if, with some, we allow him to have been a tyrant, he certainly was a glorious one. In his private character he appears to have been the affectionate husband and the indulgent parent. And as a legislator, though he was in many respects partial and oppressive, yet in others he shewed a great regard to private property, an invincible hatred to every vice, and a

thorough detestation of corruption and partiality, as will appear from the tenor of his laws, that will be found in their proper place.

As to the external qualifications of this prince, we find them thus described by Malmesbury: "In his stature he was graceful, though not, as some report, exceeding the ordinary proportion of men*; he had great dignity in his aspect, though the protuberance of his belly somewhat abated the majesty of his person: his constitution was fitted to bear the greatest hardships: and he enjoyed so perfect a health, that he never had any dangerous illness till that of which he died. His bodily strength was so great, that it is said hardly a man could be found to draw his bow, which he used with great ease to bend on horseback, stretching out the string with his foot."

His offspring was as follows:

By his queen Matilda, daughter to Baldwin, earl of Flanders, he had Robert, surnamed Courthouse, from his wearing short boots or hose, or, according to some, on account of the shortness of his legs and thighs. This prince experienced amazing vicissitudes of fortune, as will be seen in the sequel of this history. He was married twice; first, when both parties were but very young, to Margaret, daughter to the earl of Maine, who died before she came to the years of puberty: secondly to Sibylla, niece to Guiscard, count of Apulia, in Italy. He had issue Richard, a prince of great expectations, who was killed as he was hunting in his grand-father's New Forest. Most of our modern historians have mentioned this Richard as a son of the Conqueror's, and that he was born between Robert and Rufus; but, by ancient records, this appears to be a mistake.

William Rufus, his successor on the English throne, was another son; the appellation of Rufus he got from the red colour of his hair and florid complexion; and was educated under Lanfranc, archbishop of Canterbury, his father's favorite minister and counsellor.

His third son was Henry, surnamed Beauclerc, for his extraordinary proficiency in the literature of those times. He was born at Selby, in Yorkshire, A.D. 1070; a circumstance which afterwards proved of great service to him against his brother Robert, when the latter set up a claim to the crown of England, and lost it by not being a native of this country.

We read of five daughters that William had:

Cicely, the eldest, took the veil, and was first a nun in the monastery of Feschamp, in Normandy, and afterwards abbess of the convent of the Holy Trinity, at Caen, where she died in the year 1027.

Constance, the second daughter, was given in marriage to Alain Fergant, count or duke of Brittany, to cement the peace between him and her father; and William gave with her the great manor of Richmond, in Yorkshire, as a dowry.

* In the year 1562, when Castilleau took the city of Caen, with those broken battalions that escaped the battle of Dreux, some of the mercenary troops, headed by their officers, broke down the monument of king William, which his son Rufus had built to his memory, and which was extremely valuable, being adorned with great quantity of gold and precious stones: not contented with this, they violated the sacred repository of the dead, in hopes of finding a valuable treasure concealed; but being disappointed in their rapacious views, they, out of malice and resentment, took his bones out of the stone coffin

in which they lay, and scattered them about with a barbarous contempt. As there were a number of English soldiers in the town at that time, they could not bear to see the remains of a king, who had ruled over their nation, thus ignominiously exposed, and therefore gathered together his bones, which were afterwards brought to England. This at once refuted the superstitious report, that his body was found uncorrupt after lying more than four hundred years in the ground; as also that his body was eight feet in length, the bones so found not being proportionable to that stature.

Engrav'd for
MORTIMER'S
History of ENGLAND.



S. Wale delin.

WILLIAM II.

C. Grignon sculp.

Adda, or Adela, the third daughter, who was married to Stephen, earl of Blois, by whom she had four sons, the youngest of which, named Stephen, acceded to the crown of England. After the death of her consort she embraced a religious life.

Margaret, the daughter who was promised to Harold, appears to have died before William's expedition to England. And a fifth daughter, named Eleonora, mentioned by Gemitecensis, after being betrothed to Alphonso, king of Castile, not relishing a married life, died a nun.

WILLIAM II. surnamed RUFUS. A. D. 1087.

VARIOUS have been the portraits of this prince's character, as the pencil has been guided by the hand of affection or dislike; but when the pallet comes into the possession of impartiality, the colouring will wear a different appearance: the horrible vices with which he has been stigmatized, will be found to sink into the milder shades of human frailty; and the daubings of gross adulation will be expunged, and in their room that natural contrast substituted, which forms the true picture of humanity.

In point of genius he rivalled most that had gone before him. At the time of his father's death he had many, and those not small, difficulties to struggle with: the natural courage he was possessed of, would never have been sufficient of itself to have made head against them, had he not added an address peculiar to himself. We have already seen that his father William was desirous to fix him as his successor on the English throne; but the right of primogeniture was undoubtedly vested in his brother Robert, a prince who had rendered himself exceeding popular, and, perhaps, from that motive which ever did, and ever will, weigh greatly with the compassionate spirit of the English, the dislike his father had shewn to him, and the sufferings he had sustained, on that account. On the other hand, Rufus's second brother Henry was a prince of great bravery, nobleness of sentiment, and consummate policy. His succession to the kingdom of England might be disputed: the subjects over whom he was to reign did, in one sense, owe a priority of allegiance to his brother Robert, and the military tenures of many of them were equally due to that prince, as duke of Normandy, as to William.

Such were the rubs in William's way to the crown of England, and these he got over in the manner that shall be shewn in the succeeding pages.

The news of his father's death reached him while he was waiting for a fair wind at Witsand; but this event he was too politic to divulge as yet, well knowing the English were not sufficiently attached to the Norman government, to submit to a successor of that race without having their minds properly prepared; and this, indeed, seems to have been the opinion of his dying father, when he advised him so strenuously to make archbishop Lanfranc his friend. Keeping in mind this prudent counsel, he no sooner landed in England, than he, taking with him Bloet, the deceased king's chaplain, repaired to Lanfranc, and delivered him the letter which his father had given him for that prelate. The archbishop, whose pride was tickled by this immediate application, from that instant devoted himself to the service of young Rufus; and the sequel will shew that his interest was of no small advantage in raising him to the crown,

for Rufus's natural roughness would not suffer him to endeavour at a conquest over the minds of the people by the time-serving arts of adulation.

But notwithstanding the affection which Lanfranc bore to Rufus, whom he had educated from his earliest youth, and the gratitude he owed his father's memory, honour and a regard to justice were powerful considerations with him, and he would not absolutely promise to espouse his cause till he had first given him his oath, in the most solemn manner, "that, in case through his agency he should obtain the throne of England, he would govern with equity and moderation, maintain the liberties of the people, and behave like a dutiful and obedient son to mother-church." This promise being agreed to on the part of Rufus, the archbishop set himself heartily to work, in order to remove every obstruction in his way to the diadem.

So great was the esteem and credit in which Lanfranc stood with the English, that in a short time he gained over to his party the leading men of both nations; and, effectually to work upon the minds of the populace, a report was industriously spread, that William had resolved upon a plan of government entirely different from that of his father; that he had a natural affection for the English, whose sufferings he had often commiserated, and was determined to alleviate, if ever it was in his power; and, in particular, that it was his intention to abolish the very rigorous laws relating to the game, then in force; in fine, that he would be the restorer and defender of those rights and privileges which his predecessor had wrested from them. Thus much for the English. As for the Normans, they were taught to believe that their interests were inseparably connected with those of Rufus, and that they had no other chance for continuing in possession of what they had got in England, but by supporting the cause of the young prince to whom his father had, in his dying moments, bequeathed the succession of his new acquired kingdom.

But, perhaps, all those measures, however politic and well contrived for conciliating the minds of all parties to William's succession, would have fallen short of their desired end, had it not been for the indolence or vanity of Robert, who made himself so sure of the affections of the English, and their hearty concurrence in favour of his claim, that, when he was advised in a friendly manner by many noblemen, both Norman and English, his adherents, to make all possible speed for England, in order to prefer his right of primogeniture, he answered, with a haughtiness that bordered upon insanity, "that there was no need for such precipitation, since if he was at the farther end of the globe, he was sure that the English would not dare

to fill the throne in his absence." The event proved him the dupe of his own vanity; being absent, he had but few friends to solicit his cause in England, and Lanfranc's pains in behalf of Rufus were attended with such good success, that this prince was, in a great council of the kingdom (convocatis terræ magnatibus, saith Brompton) declared king of England, and crowned the seventh of September, eighteen days after the death of his father, William I. the ceremony being performed by Lanfranc, in the presence of the archbishop of York, most of the other prelates in the kingdom, and a considerable number of the temporal lords.

William*, on his first accession to the throne, endeavoured, by every popular measure, to win the affection of his new subjects; and the English, whose natural honesty and openness of disposition, ever did and ever will render them the dupes of ambitious or designing men, began to hug themselves in the imagination that golden days were dawning upon them, and that in the mild administration of Rufus they should find a balm for those wounds which his father's arbitrary government had given to their privileges and constitution; besides, they found their nationality not a little flattered by the particular attention which their new monarch affected to shew them on all occasions.

When Robert and his party heard of the popular methods that William was pursuing, they thought it high time to rouse from their inactivity. Robert repaired to Rouen from Abbeville, where he was at the time of his father's death, took possession of Normandy without opposition, and was invested with the sword of that duchy, a ceremony, at that time, and in those parts, tantamount to that of coronation.

Odo, bishop of Bayeux, his half-uncle, was his chief minister and favourite, and had the direction of the affairs of his duchy. This prelate harboured a secret animosity against Lanfranc, and flattered himself, that if he could, by his interest and connection, place his master Robert on the throne of England, he should find no great difficulty in supplanting his adversary in his dignity. With this view he went over to England, but under the specious pretence of soliciting the restitution of his estate there, as earl of Kent, which had been confiscated by William I. as we have already shewn. William Rufus gave him the most cordial reception, and reinstated him in his former possessions; a conduct which was sufficient to have won the heart of a less ambitious person than Odo, and have fixed him in the interest of so generous a benefactor: but here it caused a very different effect, and the ambitious prelate looked upon William's generosity as the pure effect of weakness, and doubted not of being able to compass his treacherous designs with all imaginable ease. The great credit in which he found Lanfranc, was, indeed a severe mortification to him; however, the chagrin he felt on this occasion, served only as a more powerful incentive to pursue his purpose.

He wanted not a pretence to countenance his enterprize, Robert's primogeniture furnished him with as plausible one as he could wish. Having resolved upon his plan of operations, he commu-

nicated his designs to Eustace, earl of Boulogne, and Robert de Belesme, and, by the most artful arguments, drew them into his party, together with several other Norman lords, with whom Robert's birth-right had a weight, or who were in hopes that, by stirring up commotions in the state, and making themselves necessary, they should reap considerable advantages.

Odo finding his intrigues attended with such success, sent an account of his projects to Robert, in Normandy, assuring him that nothing was wanting but his presence, and a respectable body of Norman troops, to recover that throne from which the unjust caprice of his father had excluded him.

Robert, though of an irresolute disposition, had a soul not insensible to the spur of ambition; he received this news with unspeakable satisfaction, and sent word to Odo in return, that as soon as ever his friends were disposed to make a rising in his favour, they might depend upon being heartily seconded by him; and that he would, at an appointed day, invade England†. In the mean time, to dispose his Norman subjects to act vigorously in his behalf, he observed the most scrupulous exactness in the distribution of the pious legacies which had been left by his father; and set the two sons of the usurper Harold, who had been so long hostages in Normandy, at liberty, as likewise Duncan, natural son to Malcolm, king of Scotland, a prisoner there at that time, and also knighted them.

As soon as the conspirators in England had received Robert's assurances of joining them, they began to stir. The bishop of Coutances, and his nephew, Robert de Mowbray, struck the first blow by seizing upon Bath, Berkeley, and Bristol, from whence they made excursions, and ruined the estates of all those noblemen who were of William's party. Their example was quickly followed by Roger Bigod, who got together a party in the county of Norfolk; while Hugh de Grentemesnil made himself master of most of the fortresses and strong holds in Leicestershire. The earls of Hereford and Shrewsbury raised the Welsh and all their own tenants, at the head of whom they over-ran the whole country between the borders of Wales and Worcester. The behaviour of the good bishop Wulfstan, on this occasion, was such as deserves to be transmitted to posterity. Notwithstanding that he had many personal causes of dislike to archbishop Lanfranc and his clergy, he made private pique give way to the love and duty he owed to his country: he refused to admit the forces of the malecontents into Worcester; and when at length obliged to yield to superiority of numbers and abandon the town, he retired into the castle, where he made such a glorious defence, that he obliged the rebels to raise the siege, and retire with great precipitation.

William could not but be greatly alarmed at these steps taken in favour of his brother Robert; but, with a presence of mind that he observed on all occasions, he shewed not the least signs of apprehension or uneasiness, but set himself to take every prudent measure to suppress the insurrection; in all which he consulted and implicitly followed the counsels

* William found in his father's treasury sixty thousand pounds weight of silver, besides gold, jewels, vestments, and other things of inestimable value, the greatest part of which he bestowed on the churches and religious houses, and distri-

buted the rest in largesses to the soldiery, in order to fix them in his service. Gul. Gemet. interpol. lib. viii. cap. 2. Ord. Vital. p. 664.

† A. D. 1088.

of Lanfranc, in whom he knew he could confide, and who, in this exigence of affairs, admirably well seconded the prudence and resolution of his royal master, and no one act of severity was practised on this occasion. Both the king and his minister endeavoured, on the contrary, to stifle the rebellion by the gentle ways of conciliation, and rather to argue than terrify the insurgents into submission. With this view he brought about an interview with the earls of Arundel and Shrewsbury, the most considerable of the chiefs of the opposition, with whom he so effectually wrought, by the most lavish promises of bounty and protection, that they deserted Robert's party, and became the fast friends and adherents of Rufus. Lanfranc, on his part, bestirred himself with so much success, that he soon gained over a considerable number of the most powerful conspirators, who abandoned the enterprize they had undertaken, so that William now found himself at leisure to prosecute more vigorous measures, and to attack the enemy in that quarter whence he had most to fear.

Accordingly he made an attempt to surprize Rochester, where he had been informed Odo, with a chosen band of the malecontents, had taken up their station; but, on his arrival before the place, he not only found it in an excellent posture of defence, but also that Odo was removed to Pevensey, another of his castles. This was no small disappointment to William, who thought if he could secure the person of that arch-rebel, he should strike at the very root of those commotions that disturbed his reign: he therefore, leaving Rochester, marched to Pevensey*, where Odo had fortified himself, expecting the arrival of succours from Robert. The king, without losing a moment's time, closely invested the place, and carried on his attacks with such fury, that Odo, seeing no probability of relief, and dreading the fatal consequences that might follow an obstinate resistance, made an offer to capitulate; but William would hearken to no other terms than those of sparing his life, and that only on condition that he should abjure the realm, and prevail with the garrison of Rochester to surrender. Hard as these conditions were, Odo was glad to comply with them: he gave the king admittance into Pevensey; and then, going along with an escorte, appointed by William for that purpose, he presented himself before the gates of Rochester, summoning the town and those within to surrender to the king at his request. The garrison of Rochester was at this time composed of the flower of the Norman party in England, with many other of the principal French and English nobility: Eustace, count of Boulogne, was there also, who guessing the state of affairs from the countenance of Odo, and that he acted only upon compulsion, got together a strong party, and making a sudden sally, took prisoner Odo and his escorte, and carried them with him into the town.

William, thus deceived in his hopes of becoming master of Rochester by the means of Odo, determined to effect that by force, which he could not compass by treaty, marched his forces thither, and sat down before the city, which was so vigorously defended that he began to despair of success; but an epidemical distemper having got among the besieged, which carried off great numbers, they

were at length compelled to propose terms of surrender, offering to take an oath of allegiance to William, and to serve him ever after with all duty and submission; but William, with a stroke of policy, affected for a while to treat these offers with great disdain, by which he had an opportunity of obliging those of his party who petitioned for their friends and relations in the town: at length, suffering himself to be prevailed on by their intreaties, he gave the besieged leave to enjoy life and limbs, but no manner of hopes that they should ever be reinstated in their fortunes. As to Odo, he found means to escape by shipping to Normandy, where Robert made him lieutenant of his duchy; but all his great estates and possessions were seized upon by Rufus, who distributed them amongst those who had distinguished themselves by their fidelity and services to him in the course of the rebellion.

Every unsuccessful attempt to overturn a government, reverts with tenfold loss upon the authors, and strengthens in proportion the hands of those in power. Robert's party was now entirely broken; and William, having no longer any thing to fear, thought himself at liberty to dispence with the performance of those promises which the former exigence of his affairs had prompted him to make; and the honest English ("Anglos probos," to use the words of Malmesbury), who, from their late services, thought themselves justly entitled to every reasonable mark of favour from a king whose throne they had so loyally and bravely upheld, found themselves cruelly disappointed, by his enacting several rigorous laws concerning forests. Lanfranc could not behold such proceedings in silence, but, with a becoming boldness, remonstrated to him how very inconsistent they were with the sacred promise he had made to him, when only a candidate for the crown. William's haughty soul was stung to the quick with this freedom of the archbishop's; but not judging it politic to break with a person of his great influence in the kingdom, he affected to laugh it off, by saying in a jesting manner, "Pish! man, dost think kings can keep all their promises?" It was not long, however, before William was delivered of this too honest counsellor, who died within a few months afterwards, justly regretted by the good men of both nations, who revered him as the most able and upright prelate and statesman that had for many ages adorned those high posts.

The presence of this venerable man being no longer a check to the king's inclinations, he began to indulge himself without restraint in that thirst for money-getting, which seems to have been the prevailing passion of his father and himself, but with this difference, that the first William always took care to keep his coffers well supplied against any sudden emergency; whereas this prince, avaricious without frugality, squandered the immense sums he drained from the subject in idle expences, to gratify his own vanity, or satisfy the cravings of his favourites. And here he put in practice a method before unknown in England; he seized into his own hands all the vacant benefices, which he kept so for a number of years, collecting their revenues for his own use; the first fruits, to which he was legally entitled, appearing to him too small to satiate his avarice: nay, when he had for some time

* Having first taken Tunbridge, another of Odo's strong holds, which surrendered at discretion, and which he ordered to be demolished, as he could not spare men sufficient to keep it.

enjoyed the profits of their income, he afterwards set them up to public auction, to be purchased by the best bidder, without the least regard to the merit or capacity of the intended purchaser.

A.D. 1089, by the advice of Ralph Flambard, one of the chief justices of the kingdom, he ordered a new survey to be taken of all the lands in England, on a pretence that the inquest made by his father, and on which Domesday Book had been formed, was incomplete, and the assessments unequal: this gave him an opportunity of raising the taxes considerably. The part which Flambard acted on this occasion, and the rigour with which he exercised his new office of inquisitor, rendered him so odious to the people in general, that a plot was laid to assassinate him, which by some accident miscarried: but this attempt seemed to be a signal for many of the nobility to combine against William himself, who had countenanced these illegal proceedings in his favourite. Matters, however, were not so secretly conducted but that Flambard came to the knowledge of the plot that was hatching, and took such effectual steps, partly by flattery, and partly by menaces, that he quashed the conspiracy in its infancy, and procured Ivo de Taillebois, the chief of the party, to be sent into banishment.

And here we will stop a while, and cast our looks towards Normandy and its duke Robert, who had not as yet taken any one material step towards the support of that claim which he had pretended to set up to the English succession. His natural indolence had so far got the better of him, that even in his own duchy matters were in the greatest confusion; the state was over-run with banditti, who exercised the most outrageous ravages upon the defenceless part of the people: add to this, that Robert, when he had first formed the design of supporting his party in England by making a descent in their favour, a design which in the end came to nothing, Robert I say had, on this occasion, from a scarcity of money, mortgaged the whole country of the Contantin to his brother Henry, for the loan of three thousand pounds: now Henry, apprehensive that Robert might seize that country into his hands as soon as opportunity should offer, had trained up the inhabitants to martial discipline; but still fearful that these precautions might prove ineffectual to secure to him his property, he entered into a private correspondence with his brother William, whom he advised to attack Robert's territories, in which attempt he, from his knowledge of the state of affairs in Normandy, promised him certain success.

Rufus, however, was too politic a prince to engage in any enterprize of that nature without being well assured of support; he therefore convened a council of his states, and laid before them the state of Normandy, and the motives upon which he was determined to attempt an invasion of that country, requesting at the same time their sanction to his proceedings.

The council concurring with his views, he made the necessary preparations for carrying his enterprize into execution; and in the spring of the year 1090, he landed in Normandy, and, before his brother Robert was able to make head against him, carried the towns of St. Vallery, Albemarle, and several other places, without meeting with the least opposition.

Robert, thus pressed, applied with great ear-

nestness, to the court of France for relief; but William had by some means attached the French king to his interest, and Robert found himself deserted by the very person on whom he had placed the most assured dependence, and left exposed to all the calamities of war; he saw his towns falling one after another into the hands of William, and received certain advice that Rouen itself, the capital of his duchy, was on the eve of being surrendered to the king of England by its governor Conon, who had carried on a secret correspondence with the enemies of his sovereign and his country.

At this juncture Henry, who equally distrusted both his brothers, but feared the designs of William most, as being the most powerful, deserted the party of the latter, and resolved, on this occasion to throw the weight of his interest into Robert's scale: marching, therefore, with a body of forces to join him, he arrived just in time to prevent the execution of the traitor Conon's scheme, whose person he seized and ordered him to be cast headlong from the top of the castle, after which he took possession of the city in the name of his elder brother. By this bold stroke he quashed the conspiracy, which, had it succeeded, would not only have deprived Robert of his capital, but in all probability of his whole dominions; and Henry wisely foresaw, that in such case his ruin also would follow as a natural consequence.

This union of the two brothers, and the miscarriage of the enterprize upon Rouen, put a stop to William's progress for this year, and he returned to England; but he resolved to prosecute the war with the utmost vigour the ensuing campaign. Accordingly, as soon as the season of 1091 admitted of beginning military operations, he crossed the sea with a strong fleet and a numerous land army; and coming upon Robert, who was then engaged in the siege of Courcy, he obliged him to decamp with great precipitation. After this he marched to a place called Ville d'Eu, where he encamped, and was visited by many of the Norman nobility, whose own interests made them desirous to bring about an accommodation, between the two brothers; their labours were attended with such happy success that a peace was shortly after concluded, on condition that Robert should resign the county of Eu, the castle of Aumale, the abbey of Feschamp, Cherbourg, and all the other places he had reduced on the coast of Normandy; in lieu of which William was to assist the duke in subduing the province of Maine which had revolted, and restore to the confiscated English estates all Norman noblemen who had been deprived of them. Moreover, it was stipulated, that in case of the death of either of the two brothers, the survivor should inherit the other's dominions.

In all this treaty not the least notice was taken of Henry, who could not but be greatly chagrined to see himself thus contemptuously and unjustly passed by; and resolving to revenge himself upon Robert in particular, from whom he thought his late services called for some degree of attention, he, by force of arms, made himself master of Mount Michael. Robert could not quietly see a place of that consequence wrested out of his hands, and therefore engaged his brother William to assist him in recovering it again. The two brothers began by taking possession of the Contantin; after which they advanced to the siege of Mount Michael.

Michael. The place was strongly fortified by nature, being situated on a rock washed by the sea, and surrounded with water at the flood tide, consequently they had no hopes of reducing it in any other manner than by blockade.

While the two brothers lay before the place, a remarkable accident happened, which, as it gives us a strong light into one part of William's character, we shall here deliver as related by Knyghton.

One day, as the king was riding alone at some distance from the camp, he saw two horsemen advancing in full gallop from the castle, and being naturally brave even to an extreme, he, despising the odds, rode to meet them, determined to take one or both of them prisoners, hoping thereby to get some material intelligence relating to the condition of the besieged. The soldiers finding themselves attacked by a single man, could not for shame but stand on the defensive, and in the encounter one of them had the good fortune to run William's horse through with his spear, who instantly falling drew his rider with him to the ground; the fellow perceiving his antagonist in this situation, and not knowing him, was on the point of putting an end to his life, when the monarch called out to him in a commanding tone, "Hold, villain, I am the king of England." The soldier, struck with veneration, stopped his uplifted hand, and, together with his comrade, assisted to raise the king, and mounted him on one of their own horses. William vaulting into the saddle with great agility, called to the man who had got the better of him, saying, "Follow me, my lad, and you shall henceforward be my soldier."

Although the besiegers had nothing to boast of in point of success, the siege going on very slowly, yet at the same time those within were driven to great distress, and Henry's people were greatly put to it for want of water; which, when Robert came to understand, he, with a humanity and brotherly kindness which must ever do honour to his heart, gave leave for the besieged to fetch as much water as they wanted, and not only so, but sent Henry a ton of wine for his own drinking; and when William remonstrated to him, that such a conduct was counter to all the rules of true policy, "It may be so (replied he), but is our dispute then so deadly, that we shall suffer our own brother to perish for thirst? Alas, there are many kingdoms in the world, but where shall we find another brother, if we cruelly destroy this?" This act of generosity, however, appeared so ill-timed to William, that he would no longer act in conjunction with Robert, but quitted the siege and returned to England. Nevertheless Robert prosecuted it with such vigour, that in a short time he brought his brother Henry to surrender upon terms; after which the unfortunate Henry wandered up and down for some time, without knowing where to fix his residence.

About this time Edgar returned to Normandy from his Palestine expedition, and was generously received by Robert; but Rufus, who entertained some disagreeable apprehensions of that prince, made it a point with his brother Robert that he should oblige him to quit his dominions, which he accordingly did; and William having seized upon the estates he held in England, Edgar found himself once more obliged to have recourse to his old friend and protector, Malcolm, king of Scots, to whom he made such an affecting representation of the hard treat-

ment he had received from William, that the Scot resolved to avenge him on his oppressor, and to march a powerful army into England, in order to place him on the throne of his ancestors. And accordingly, taking advantage of William's absence in Normandy, he entered Northumberland, in May, ravaged the whole country, which was in a defenceless state; and, having made a considerable booty, retired again into his own country.

Upon the news of this invasion, Rufus immediately made preparations to attack the Scots, both by sea and land; but the success of the war was far from being favourable to the English, for the fleet, which had been destined to make a descent on the Scottish coast, was mostly destroyed by a tempest, so that it could effect nothing of any consequence. In the mean time, Robert, at the invitation of Rufus, came over from Normandy, to assist him in his land expedition against the enemy; and both brothers advanced with their joint forces as far as Scotwater, where they were met by an envoy from Malcolm, with this message to William, "That as he neither did nor would acknowledge him as king of England, consequently he could look on him only as the invader of his kingdom; but that if his brother Robert was with him, he was ready and willing to do that prince homage for Cumberland, as the eldest son of William I. his lord paramount."

Upon the receipt of this message, William called a council of war, to consult upon the most proper measures to be pursued; when Robert de Mowbray, earl of Northumberland, a wise and experienced general, represented the necessity there was of coming to an accommodation, as the English was greatly weakened and distressed for want of provisions, the enemy having ravaged the country so entirely, that there was neither forage for their horses nor food for the men. These sage remonstrances had the desired effect, and Robert was pitched upon by the council to go to the Scottish camp with proposals to Malcolm, by whom he was received with the greatest complaisance; and his offers being seconded by the persuasions of Edgar Atheling, whom Mowbray had secretly found means to persuade that he would get him restored to his estates in England, and who had none of the ambition of a crown about him, Malcolm consented to a peace with Rufus, on the following terms: that William should restore to Malcolm twelve manors, which the latter had held under the first William, and pay him annually twelve marks of gold; and that Malcolm should do homage to William in the same manner as he had done to his father. At the same time William was obliged to receive Edgar Atheling into favour, and reinstate him in the possession of the lands he had taken from him.

Matters being thus amicably adjusted between the two sovereigns, though, it must be confessed, in a manner not very glorious to William, this latter retired, with the shattered remains of his army, to England. And now Robert thought it was a seasonable opportunity to remind his brother William of the treaty that had been made between them, and to require to be put in seizin of the estates which were to be given him in England by virtue of that treaty. William, however, only amused him with flattering promises, without shewing the least inclination to perform his contract; upon which Robert, in a pique, quitted England, and took

took Edgar Atheling along with him into Normandy.

William, on his return home, received the agreeable news, that, during his absence in Scotland, the county of Glamorgan, in Wales, had been entirely conquered by Robert Fitzhamon, a Norman and his subject. The history of this conquest is a melancholy proof of the fatal effects that arise from civil dissensions, and at the same time affords an useful lesson to princes, how they attempt to assert their rights by calling in a foreign aid.

Wales being divided into several little principalities, and the princes thereof being continually at variance with one another, had never been able to make head against the power of England; all that these princes could do being only to carry on a piratical war, in which they derived some advantages from the woody and mountainous situation of their country. To prevent the depredations they so frequently committed in that part of the English territories bordering upon theirs, William I. had prudently given large possessions to his Norman barons on the marches of Wales, investing them with extraordinary privileges and royalties, so that they had always a great number of dependents ready to take up arms and oppose the Welsh whenever they attempted any incursions. About the year 1090, Rees ap Tudor, prince of South Wales, had fallen upon Jestyn, lord of Morgannue, or Glamorgan, whose family had ruled that country for many ages. This latter, finding himself too weak to oppose the invader of his territories without foreign succours, applied, by the means of Eneon, a Welch nobleman, who had been in the English service, to Robert Fitzhamon, earl of Gloucester, for assistance. Robert, associating with him twelve valiant knights, marched with a considerable force to his aid, and coming to an engagement with the enemy, near Brecknock, Rees was slain, and with him fell the principality of South Wales. Jestyn seeing himself thus happily freed from his old enemy, neglected to perform the conditions he had made with the English, or to reward the services of those who had so successfully assisted him. He shewed the like disregard to Eneon, whom he, from time to time, put off on frivolous pretences. This breach of faith so incensed both parties, that they joined together to attack him; and the whole country of Glamorgan being soon reduced, Fitzhamon took possession of the fertile part lying on the sea-coast, and left the mountainous and uncultivated tract to Eneon.

Fitzhamon, thus become master of the country, rewarded the twelve knights*, who had assisted him in the conquest, with several valuable fiefs, which they were to hold of him as their lord paramount. It will appear by the note, that many families of their names are still settled in their estates there.

Robert, on his return to his own dominions, found his brother Henry in possession of Donfront,

a strong sea-port town in Normandy, which had been delivered into his hands by Roger de Bellefme, together with the whole of the Contantin. On this occasion, William's policy had dictated to him to support Henry underhand, so that Robert found it impossible to reduce that young prince, or dispossess him of those territories he had seized; nor was this the only instance of his brother Rufus's insincerity and disregard to treaties that Robert had to complain of; for, notwithstanding the signal services he had rendered him in the Scottish war, William was continually endeavouring to draw off the Norman lords from their allegiance to Robert, hoping by degrees to weaken that prince so effectually as to make himself master, with little or no opposition, of the duchy of Normandy. While he was thus giving his own brother such just cause of complaint, his subjects had not much better to expect from his hands; and, in short he exercised his authority at home in the most illegal and arbitrary manner, by imposing new taxes upon corporations, and grinding the faces of all those under him in the most relentless manner. By these methods he did indeed fill his coffers, but at the same time he entailed upon himself the curses both of the English and Normans, who were equally sufferers by his rapacious exactions.

About the year 1093, William found himself, much against his will, obliged to fill up the long vacant see of Canterbury, in order to stop the outcries of the clergy, whom he knew to have a great influence with the common people. Accordingly he listened to a proposal they made him of electing Anselm, abbot of Bec, into that see, a man of the most unexceptionable character. But while this proposal was under consideration, William felt dangerously ill at Gloucester: and as none but the truly virtuous are truly brave, William on this occasion betrayed all the signs of pusillanimity; he had recourse to the prayers and counsels of that set of men, for which he had always affected to shew the greatest contempt: and they, true to the grand principle which actuates all of their order, laid hold of this opportunity to work the mind of the death-affrightened king to their own purposes. The archbishopric of Canterbury was bestowed on Anselm, who was at that time in England, on a visit to his friend the earl of Chester, then on a sick-bed; the bishopric of Lincoln was given to Robert Bloet, William's own chaplain; the clergy also gained several other material points during the king's sickness; in particular, Anselm demanded a full restitution of every part of the revenues of his see, that had been granted away at the death of Lanfranc, for lay uses; all which Rufus faithfully promised to comply with. But no sooner had his disorder taken a favourable turn, and he found himself freed from the immediate terror of dissolution, than he repented him heartily of the concessions he had made, and forgetting in his recovery all the promises of his sick-bed, gave the clergy to understand

* The names of these knights, and the possessions assigned them, are still extant in an old British record, and are as follow:

Names.	Possessions.
William de Londres	Ogmore.
Richard de Grana Villa	Neth.
Pagan de Tuberville	Coity.
Robert de Quintin	Lhan Blethyan.
Richard de Liward	Taluan.
Gilbert de Humfreville	Penmarke.
Roger de Beckrolles	East Orchard.

Names.	Possessions.
Raynold de Sully	Sully.
Peter de Loore	Peter-ton.
John de L'eming	St. George.
Oliver de St. John	Fonmon.
William de Ederling	St. Donats.

† Powel, in his History of Wales, and Florence of Worcester, place this event in 1094; but from the old British Chronicle, we here date it A. D. 1092.

that

that he thought they had taken undue advantages of his late weakness: he countermanded several orders he had issued in their favour; and, which was still more unpardonable, he commanded the prison doors to be shut again upon those whom he had ordered to be set free, and resumed his former arbitrary manner of governing. These proceedings occasioned a quarrel between him and Anselm that proved the source of manifold mischiefs. Moreover, William finding that many of his subjects daily quitted the kingdom, unable to subsist under his rule, he issued an edict, prohibiting any one to go out of it without especial licence first obtained of the king.

And here the adversaries of William seem to indulge themselves in the most bitter invectives against him: he is represented as a monster of tyranny, profligacy, and perjury. It will not be difficult for the reader to guess from what quarter this flood of censure chiefly proceeds; but as his enemies speak only in general terms, and do not bring us any particular authentic instances of civil oppression, candour will not permit us to subscribe our assent to detraction in gross: besides, history undoubtedly furnishes us with many examples, where kings have been imposed upon by the artifices of a designing and ambitious set of men, and afterwards becoming sensible of the folly of their concessions, have, with great justice, and with honour to themselves, recalled those grants, which, however they might be beneficial to individuals, were a tax upon the community.

Thus much, however, is certain, that William, in general, regarded his promises no longer than the performance of them appeared agreeable to his interest: of this he gave a remarkable instance at this period; for Malcolm, king of Scots, having sent ambassadors to him, to demand the performance of that part of the late treaty which regarded the cession of the twelve manors in his favour, William desired that he would repair in person to him at Gloucester, promising that he should there have all justice done him. Malcolm, upon this invitation, immediately repaired to the king's court, but was received with so much haughtiness by Rufus, that he returned to his own country in a transport of indignation*.

No sooner had he set foot in his own dominions than he assembled a powerful army, with which he entered Northumberland, ravaging the country as far as Alnwick, to which place he laid siege, and carried on his operations with such vigour that in a short time the besieged were obliged to capitulate, notwithstanding that Robert de Mowbray had marched to its assistance with all the forces he could raise. The governor of the place, whose name was Morel, having demanded a capitulation, on pretence of presenting the keys to Malcolm on the point of a spear, thrust the weapon into his eye, and killed him on the spot. Edward, Malcolm's son, seeing his father fall, called out, Treachery! and prepared with his followers to revenge his death; but, being at some distance from their camp, they were all cut to pieces by the besieged, who immediately on seeing the fate of Malcolm, and the motions made by Edward, sallied out furiously upon him and his party. Thus fell the gallant king of Scots and his son, by one stroke of unexampled treachery. This is the story as we have it related

by the Scotch historians; but the English writers say, that Robert de Mowbray, coming by night with a strong force, surprized Malcolm in his camp, and that in the heat of the action both the king and his son were slain, and the Scots army was routed with great slaughter. However this might have been, the event happened on St. Brice's day, the thirteenth of November, and the dead body of Malcolm was buried at Tinmouth, from whence it was afterwards removed to Dunfermling, and interred in a church which he himself had founded. His queen Margaret was so afflicted with his death, that she survived the news of it but three days. His loss was also sensibly felt by such of the English who lived under his protection in Scotland, and to whom he had been a father and a friend, and who now suffered a cruel reverse of fortune under the reign of his brother and successor, Donald Bane, who, as soon as he ascended the throne, expelled all the English whom the late king had so remarkably favoured.

Rufus being thus freed from a powerful and dangerous enemy in the person of Malcolm, found himself at leisure to invade the territories of his brother Robert, whom he could never forgive for the peremptory manner in which he had insisted upon his performance of the articles between them.

Accordingly, in the spring of 1094, he passed over to Normandy with a strong army: but, in order to give some colour to such unnatural hostilities, he sent to propose an interview with his brother, at which Robert made some proposals that were rejected with great disdain by king William. Robert then proposed a second conference, at which were present all the barons and great men who had sworn to guarantee the treaty; but numberless difficulties being started in the course of the negotiation, it was finally broke off, and both sides prepared for action.

Hostilities being commenced, William soon made himself master of several places, the governors whereof he had bribed, and flattered himself with the hopes of quickly subduing the whole duchy. But the king of France, whose interest it was ever to keep the two brothers at variance, without suffering either to become too formidable, marched with an army to the assistance of Robert, and immediately changed the scene. The towns and castles which Rufus had gotten possession of, were reduced one after another, and garrisoned with a mixture of Normans and French: and the affair became so serious, that William found himself under the necessity of sending to England for a reinforcement of troops.

Upon the receipt of William's mandate in England, levies were made, and twenty thousand men being raised, a general muster was appointed at Hastings; and as the men were to be employed in foreign service, the several barons or knights, under whom they had been raised, furnished each man, in compliance with an ancient custom, with ten shillings towards defraying their expences during the campaign; this made in all the sum of ten thousand pounds of the money of those times, equal to nearly two hundred thousand pounds of the present currency. William, who had expended vast sums in corrupting Robert's officers and governors, began to find his coffers almost exhausted, and therefore put in practice an expedient to recruit

* Some authors tell us that William even refused to see him, or admit him to a conference. Flor. Wigorn.

them, that must call the blush upon the face of any private man of the least honour, but stamps indelible infamy on the character of a king. He, either by the persuasions of some of his favourites, or of his own advisement, dispatched directions to Ralph Flambard, his prime minister and high-treasurer, to get this money, if possible, out of the hands of the foldiers, and transmit it over to him in Normandy. The minister meanly complied with this order; and having caused the troops to be drawn up on the sea-side, he there made a speech to them, in which he told them that the king his master having more occasion for money than for recruits, every man might be excused from the expedition upon paying the bounty-money he had received into his hands, for the king's use. The men, whose livelihood and that of their families depended chiefly on their labour, readily embraced the composition, and having paid their money to the treasurer, the whole body was disbanded.

The money thus collected was immediately remitted over to William, who applied it to a purpose perfectly agreeable to the manner in which he had obtained it. He well knew that the prevailing passion of Philip, the French king, was avarice, and he therefore thought, that by a proper application of a handsome sum, he might induce him to desert the party of his brother Robert: the issue proved the truth of this opinion, and Philip, having touched the stipulated sum, threw so many delays in the way of the operations that had been concerted between him and Robert, and with whom he had actually advanced as far as Longueville, in their way to Eu, where he intended to besiege William, that no transaction of consequence happened during the remainder of the campaign; and William, in a short time, was called off from the prosecution of the war by an insurrection in Wales, and the advice of a conspiracy formed against him in England.

The reader may recollect in what manner Robert Fitzhamon, earl of Gloucester, had made himself master of the county of Glamorgan, after having routed Jestyn: much about the same time, Roger, earl of Shrewsbury, reduced Montgomeryshire; and the king had given a grant to this nobleman's son, Arnulph, of the county of Pembroke, in consequence of which the latter had built several fortresses therein, and in particular the castles of Pembroke and Cardigan, to secure his acquisitions. And as power is not, in general, a softener of the manners, it may naturally be supposed that Arnulph and his dependents might behave to the neighbouring Welsh in an haughty and overbearing way, and not have attended very scrupulously to the tenets of property. However this might have been, these people, either from real or imaginary oppression, had taken such a distaste to their new neighbours, that they resolved to risk a desperate effort in order to remove them to a greater distance from their borders. Accordingly they entered Arnulph's territories with a strong force, and expelled the Normans from all their settlements thereabout, excepting the castle of Pembroke, which they were not able to reduce. After this the insurgents took Montgomery by assault, and put the garrison to the sword; and then, pouring like a torrent upon the counties of Chester, Salop, and Hereford, they spared neither age nor sex, burnt to the ground all the towns they met with in

their way, and made the whole country one scene of carnage and conflagration.

William did not rest an instant after his arrival in England, before he marched against these merciless invaders; but the Welsh, on receiving tidings of his approach, did not think proper to hazard a battle against an army of veteran troops, but retired to their fastnesses in the mountains, from whence they detached flying parties over the country, which frequently surprized small bodies of William's army, and in fine so harrassed him that he was glad to quit the country ingloriously, after having made himself master of Montgomery castle, which he ordered to be repaired and strengthened with new fortifications.

Towards the latter end of the year, indeed, he made some further attacks upon the enemy, but with the like ill success; so that despairing of reducing them by the operations of a regular campaign, he left orders with the wardens of the marches to guard the borders with the greatest care, and, by building strong forts in proportion as they gained ground on the enemy, to prevent their making farther encroachments.

While he was engaged in giving these orders, and resting his harrassed troops in winter-quarters, about the beginning of the year 1095, he received intelligence of the revolt of Robert Mowbray, who having been disgusted at the little notice William had taken of him, after the important services he had performed in the defeat of the Scots at Alnwick, had, in revenge, entered into a conspiracy to depose William, and set the crown on the head of Stephen, count of Aumale, nephew to the late king. The great interest and connections of Mowbray had engaged many discontented noblemen to join his party, and they had conducted matters with so much secrecy, that although the plot had been begun during William's absence in Normandy, he had not the least intimation of what was transacting till he was in winter-quarters in Wales.

But no sooner did the disagreeable news of this confederacy reach his ears, than he took such precautions as plainly evince him to have been a prince of consummate policy. He wisely considered that the most effectual means to disconcert this dangerous combination, was to come at the bottom of it, or to force the conspirators to declare themselves before they could take all their measures, or fix a convenient time for the execution of their designs.

Previous, therefore, to any other step, he returned in person to England, and summoned Mowbray to attend him in his court, held at Winchester in Easter-week, and at Windsor in Whitsuntide, to answer for his plundering four merchantmen that had put into an English port under his jurisdiction, embezzling their effects, and not restoring them according to the king's order, who, on his neglect, had paid the value to the owners out of his Exchequer. Robert, either conscious of his guilt, or vain of his services, refused to obey the summons, unless hostages were sent him, and a safe-conduct for his security in going and returning; the stale demand which all bold rebels, either before or since, have used to cloak their rebellion, and which had Rufus granted, he would, in effect, have divested himself of all power over a disobedient subject.

Upon this William found he had no other course left but to take the field against the rebels in person.

son, which he accordingly did, and directed his march towards the North, where Mowbray's estate lay; who, upon hearing of his approach, retired into Bamborough castle, where he fortified himself. In his route the king was very near falling into an ambuscade, which the rebels had prepared for him, had not Gilbert de Tunbridge, one of the nobles engaged in the conspiracy, repented of his treason, and gave William notice of his danger. Rufus then proceeded for Bamborough castle, to which he laid siege; but finding it impregnable, on account of its situation †, he changed the siege into a blockade, and run up a tower opposite to it, which he called Malvoisin (or the Bad Neighbour.) Having put a strong garrison into this tower, he himself set out for the southern parts, where his affairs now demanded his presence. Upon his departure, Mowbray, leaving his trusty friend Morel to command Bamborough castle, went towards Tinmouth castle, one of the strongest fortresses in that age, when the use of cannon was unknown, and when the situation of a place was alone a sufficient safeguard. This castle, according to Camden, was seated on an high rock, inaccessible steep, and washed by the sea to the eastward and northward, and in other places of so narrow access that a very small garrison was sufficient to defend the passes to it against a whole army. Here Mowbray knew very well that he had no prospect of success but by the methods of corruption; accordingly he began to tamper with the governor, in order to bring him to deliver it into his hands. But while he was employed in this negotiation, the governor of Malvoisin fort marched out with the greatest part of his people, and getting between Mowbray and the castle of Tinmouth, thereby cut off all possibility of a retreat from the earl, who finding himself thus beset, was obliged to surrender at discretion, and was carried back to Malvoisin, where he was put under close confinement.

William, upon receiving news of this lucky capture, sent orders to have Mowbray brought out and presented before the walls of Bamborough castle, and that his keepers should at the same time give notice to those within, that unless they would instantly deliver up the castle, the earl's eyes should be put out before their faces. This threat struck such a panic in the minds of the besieged, who revered Mowbray as their father and leader, that they instantly capitulated: and Morel, the governor of the castle, being brought before William's commissioners, there publicly impeached divers of the clergy and nobility of being confederates in the late rebellion; upon which most part of the accused were seized, their persons imprisoned, and their estates confiscated: some, for political reasons, were dismissed; and others, of inferior rank, were put to death; as in all attempts of this nature, the weakest are ever made a sacrifice for the rest.

† Hoveden, who lived near that time, thus describes it: "Bablec, or Bamborough (saith he) is a very strong city, not exceeding large, but containing about two or three acres of ground. It has one hollow entrance into it, which is admirably raised by steps. On the top of the hill stands a fine church, and on the western point of it is a well, curiously adorned, and of sweet and clear water."

* This method of trial was in practice among the Frisians, Alemanni, Franks, and Burgundians; and, being introduced by the Normans, was allowed in cases where the proofs were defective for want of witnesses or other circumstances. A piece of ground, about eighty paces long, and forty broad, was enclosed with rails, or lists, within which the combatants fought;

Mowbray was confined for life in the castle of Windfor.

William, earl of Eu, was also impeached by Geoffrey Baynard of high treason, and being privy to the late conspiracy. As there was no other witness to this pretended guilt of the count, he demanded permission to vindicate his innocence by single combat*, which was accordingly granted him; but happening to be overcome by the impeacher, he was held as sufficiently convicted, and, by William's order, his eyes were put out, and he was deprived of his virility. His cousin, William de Alderi, being accused at the same time as concerned in the conspiracy, was sentenced to be publicly whipped, and afterwards hanged upon a gibbet thirty feet high. The first part of his sentence he suffered with the greatest magnanimity, protesting his innocence, in which he also persisted in the very last moments of his life; and the nation in general, from his known character, believed him guiltless, and that Morel had, to ingratiate himself with Rufus, made a random sacrifice of all those persons in power, whom he thought most distrusted or disliked by the king. Be that as it may, we must offer thus much in William's vindication, that, considering how complicated an affair this was, and in which so many different interests clashed, it was not to be wondered that one innocent person might suffer amidst a crowd of those who were really guilty. Odo, earl of Champaign, and Philip, son to Hugh earl of Shrewsbury, having been, upon the fullest evidence, convicted as accomplices in the late conspiracy, were deprived of their English estates; and the earl of Chester was dismissed, after a very severe reprimand.

This year, 1096, teemed with an event that makes a considerable figure in the history of this period, namely, the great difference between William and Anselm, archbishop of Canterbury; though, indeed, the dispute may rather be said to have been between the pontiff of Rome and the king of England. We have already had occasion to observe, that the monks were almost the only persons who wrote history in those early times, and therefore we are not to wonder that in any matters that related to any attempt to lessen the authority of the church, they should be outrageously rancorous in their censure, and wilfully false in their representations; hence it is that we find them making the cause of Anselm that of God and religion, whilst they represent the king as the most abandoned and profligate miscreant, who placed his glory in spurning all things sacred and praise-worthy: whereas the dispassionate reader will, from the following state of the facts, readily agree with Mr. Guthrie in his just observation, that, through the whole of this affair, William acted like a king and a man; the archbishop, like a priest and a traitor ‡.

previous to which they were both to make oath, one to the truth, and the other to the falsity of the accusation; the event determining which was right, the vanquished was condemned and the victor acquitted. Women, ecclesiastics, sick or infirm people, and all under twenty-one, or above sixty years old, were excused from fighting in person, and might have their champions to fight in their stead, whose fate determined theirs. These duels were attended with great solemnities, and abundance of ceremonies. That mentioned in the text was in presence of all the barons of England, on the octave of the Epiphany, 1096, and was the first instance in our annals of the trial of a person's guilt or innocence by the method of single combat.

‡ Guthrie's Hist. of Eng. vol. i. p. 412.

And here, before we enter upon this story, it will be necessary to inform the reader, that in the times we are now treating of, it was customary for every man, when raised to a higher dignity, to make the king a present, by way of free-gift, in proportion to the value or rank of the post to which he was preferred. William, as we have seen before, had, during his illness, been prevailed on to make Anselm archbishop of Canterbury; and as this was the highest rank to which any subject could at that time be raised in England, the king expected he would advance a considerable sum; but was greatly surprized when he found that the prelate would give no more than five hundred pounds. He represented to him, that so trivial a gift from one of his rank, would be a bad precedent to the rest of his subjects, and that the present exigence of his affairs required much larger supplies than he could hope to raise, if matters took this parsimonious turn. Anselm, who knew that what he had already offered was purely extra-foedal, and that William durst not attempt to use compulsion, obstinately refused to advance a greater sum; upon which the king, in a passion, bid him get out of his sight, and take his pitiful offering with him. The priest took him at his word, and could never after be brought to furnish any money towards the necessities of government.

About this time a schism happened in the church of Rome, the pontificate being pretended to by two prelates; Odo, bishop of Ostia, who was owned as pope in Italy and France, under the name of Urban II. while his competitor, Gilbert, archbishop of Ravenna, under the name of Clement III. was abetted by several other powers, and among the rest by the king of England. The haughty Anselm would not let such an opportunity escape him of mortifying William, and therefore, with an unparalleled effrontery, he demanded leave of him to go to Rome, in order to receive his archiepiscopal pall from the hands of Urban II. whom he declared that he looked upon as the true head of the church. This behaviour so exasperated William, that he could not forbear telling the archbishop, in the heat of his resentment, that he was a rebellious traitor, in presuming to acknowledge any other pope than was owned by his sovereign: adding, that none of his predecessors had ever been guilty of such a piece of presumption; and that to acknowledge a pope, without his licence, was the same as if he should attempt to tear the crown from his head. To this spirited remonstrance, well worthy an English monarch, Anselm returned for answer, in the hypocritical cant of those days, that he resolved to render unto Cæsar what was Cæsar's, and unto God what was God's; and therefore requested of the king to call a convention of the states, both spiritual and temporal, who would determine, whether the duty he owed the pope, and that to his prince, were compatible or not.

William took him at his word, and a meeting of the states was held at Rockingham, in which Anselm finding that he could not gain his point, and that the nobles, both secular and ecclesiastical, were highly offended against him for his arrogance, and refusal to acknowledge the authority of his lawful sovereign, resolved to retire out of the kingdom, and accordingly desired leave of William to

go to Rome. This request the king at first denied; but at length, being glad to get rid of so troublesome a subject, he gave his consent: however, not to let him go off without some farther marks of his displeasure, he sent an officer to him, who overtaking him just as he was going to sail, ransacked his baggage, and took away all the money he could find, pretending that it was against the law to carry the coin out of the kingdom. This, it must be owned, was rather a low revenge in William, who had already sufficiently shewn this haughty prelate that he was well able to maintain the sovereign authority against any encroachment of the church of Rome or her ambitious adherents.

After Anselm's departure, the king seized upon the temporalities of his archbishopric, and kept them as long as he lived; a step sufficient to damn his fame everlastingly with the priesthood, who accordingly have not failed to pay off the score with every invective that can blacken the memory of a man and a king.

As for the pious archbishop, he repaired to Rome, where he exerted all his efforts to stir up the pope to excommunicate the king, and lay the English nation under an interdict: a charitable and truly Christian attempt! in which, however, the success fell far short of his expectations; and at length finding that Urban did not care to espouse his quarrel, he retired to a monastery at Lyons, where he remained till William's death.

It may appear somewhat surprizing that Urban should so totally neglect a person who had sacrificed every thing for his quarrel; and still more so, that he should pass by so favourable an opportunity of asserting the authority of the Romish see, in opposition to William and the clergy who sided with the king against the archbishop; but this surprize will cease, when we consider that Urban II. was just then at the point of disclosing the grand design which he had for some time conceived, I mean the famous crusade, or holy war, which, as it affects the history of England, and was productive of great consequences with regard to this nation, must not be omitted here.

This most extraordinary expedition was first stirred up by a pilgrim of Amiens, then known only by the name of Coucoupetre, or Cucupietre, as we are told by the daughter of the emperor Comnenus*, who saw this hermit at Constantinople; he is known to us by the name of Peter the Hermit. However, this man, who was a native of Picardy, and had all the obstinacy of his countrymen, was so incensed at the exactions which he had met with at Jerusalem, whither he had gone on a pilgrimage, that he talked of them at his return to Rome in such strong terms, and painted them forth in so striking a light, that Pope Urban II. thought him the most proper person he could pitch on to second the grand design which the popes had a long time conceived of arming Christendom against the Mahomedans. Accordingly he dispatched Peter through all the provinces, to communicate, by the force of his strong imagination, the warmth of his sentiments, and to sow the seeds of enthusiasm.

Urban II. at length held a council, in the year 1094, in the open fields near Placentia, at which

* The princess Anna Comnena, in her *Alexiad*, which she wrote in Greek, and was afterwards translated out of that language into Latin by different hands, and finally published in

French by the president Cousin. It is a work of great ingenuity, compared by some to the *History of Quintus Curtius*.

were present upwards of thirty thousand seculars, besides ecclesiastics. This council was to deliberate on the most proper methods for avenging the cause of Christianity on the Infidels. The project of carrying the war into Palestine was universally applauded by the members of the council, but none of them chose to engage in it, having as much business on their hands in regard to their own private interests as they could well manage. Urban, therefore, found it necessary to call another council the ensuing year, at Clermont in Auvergne, where he made a speech in the market-place, representing the great power of the Saracens, and how destructive it was to Christianity, with the merit that would attend a general attempt among all Christians to humble them. This speech, exactly set to the meridian of the humour of those times, had a wonderful effect upon the hearers; and, to clench his argument, the artful pontiff concluded with a promise of remission of all their sins, who should engage in this holy expedition, and to open to them the gates of heaven, only imposing upon them as a penance the indulging of their favourite passion for war and plunder. Upon this they strove who should be foremost to enlist under the sacred banner of religion. They assumed the badge and name of (Croisés, i. e. the Crossed, or) Crusaders, having a red cross sewed or embroidered upon their cloaths, and worn upon the right shoulder: their motto was, VOLONTE DE DIEU, or, "It is God's will." The spoils were to be divided according to the rank and expences of the crusaders; this occasioned some disputes, but at the same time it proved a powerful motive to proceed, and religion, avarice, and restlessness all concurred to spur on the adventurers. This crowd of crusaders was to rendezvous at Constantinople: monks, women, merchants, victuallers, mechanics, all set out, imagining that they should find the roads lined with Christians, ready to gain indulgences by furnishing them with subsistence. Upwards of eighty thousand of these vagabonds assembled under the standard of Coucoupetre, or Peter the Hermit, who himself walked bare-footed at the head of this fanatical army, with a rope tied round his waist: a new species of vanity! But to come nearer home.

Urban having taken care to have his doctrine industriously propagated throughout all Europe, a prodigious number of princes were instigated, by his promises, to engage in the pious enterprize, and among the rest Robert, duke of Normandy was extremely desirous of having a part in this war, which made such a noise in the world. But money was wanting to enable him to make a figure equal to the rest of the adventurers of his rank*; and as his finances were too low to defray the expences he must necessarily be at, he mortgaged his duchy to his brother William, for three years, for ten thousand marks†.

Rufus gladly embraced the proposal, as he looked upon a mortgage on such terms as next to property itself; but the grand difficulty was how to raise the

money. His subjects, both Norman and English, he had already fleeced to the utmost they could be supposed to bear, and therefore he clearly saw that there was nothing to be done by the way of taxation. At length he applied for a loan to the richest of his subjects; and the monied men, not willing to run the hazard of losing all by refusing a part, complied, though not without great reluctance. The good churchmen set up the usual plea of poverty; but being given to understand that this would not avail them when the laity came into the proposal, they, to preserve the appearance of truth to their assertions, melted down the gold and silver ornaments of their churches. When what could be got together of ready specie and bullion was collected, there was still found a considerable deficiency, to supply which a tax of four shillings was laid upon every hide of land throughout the kingdom, from which not even the ecclesiastics themselves were exempted.

William having at length raised the sum required, took possession of Normandy, and Robert set out on the crusade, in the course of which he distinguished himself above all the other princes that embarked in the expedition, by his courage and conduct. Rufus thinking this new acquisition of territory made him a match for the French king, made a demand of all the French Vexin‡, together with Pontoise, Chaumont, and Mante, as appurtenances to the duchy of Normandy. Philip's refusal of this demand occasioned a war between the two princes, which lasted the space of a year, without any remarkable occurrence.

Having kept his Christmas in Normandy, William, in the spring of 1097, arrived in England; where the first thing he did was to call a court, or parliament, at Windsor, to consult on the most proper measures for reducing the Welsh, who, about this time, had made several incursions, and committed great ravages on the borders, under one Cadogan ap Blethyn, whom they had chosen for their principal leader. These depredations so incensed the king, that he formed a resolution to extirpate all the males of that nation: and with this view he raised a prodigious army, with which he thought to make the entire conquest of the country. But this honour was reserved for another; for the Welsh, finding themselves an unequal match for Rufus, betook themselves to their mountains, carrying with them every thing upon which the king's troops could subsist; who, by this precaution of the enemy, were driven to great distress, insomuch that although William, by the means of some deserters, had made himself master of the passes, yet his men daily perishing with hunger, he found himself obliged, sore against his will, to retire ingloriously home, about the end of July.

In this year, likewise, a new revolution which had happened in Scotland, by the usurpation of Donald Bane, who had been driven out of that kingdom, made him determine to send an army thither, in support of Edgar, the eldest son of Malcolm,

* The heads of the crusaders were Hugh, brother to Philip king of France; Godfrey of Boulogne; Raymond, count of Toulouse; Robert, earl of Flanders; Baldwin, earl of Hainault; Bohemond, prince of Tarentum, and Tancred his nephew.

† Robert was not the only one who had recourse to this expedient, which folly dictated, and knavery took the advantage of; for Godfrey of Boulogne sold his estate of Boulogne to the chapter of Liege, and Stenay to the bishop of Verdun; and

Baldwin, this Godfrey's brother, sold to the same bishop the few possessions he had in that country: and then the churches and religious orders purchased, for a trifling consideration, many of the estates of the lords, who supposed they should want only a very little money and their own arms to conquer kingdoms in Asia.

‡ Vexin François, a subdivision of the Isle of France, bounded on the east by the river Oyse, and on the west by the Epte.

the late king: and on this occasion he permitted Edgar Atheling to raise a body of troops to effect the restoration of his nephew young Edgar. By the help of this army Atheling defeated the usurper, and placed his nephew on the throne of his ancestors. Rufus himself had thoughts of heading this expedition in person, but was prevented by the revolt of the Mançeaux, which obliged him to pass over the sea, and lay siege to Maine, the capital of that province.

During William's absence, Wales was again exposed to a most dreadful calamity, through the treachery of one of their own nobles. Owen, a Welsh lord, father-in-law to Griffith ap Conan, and Cadogan, kings of Wales, having conceived some dislike to his sons-in-law, privately invited the earls of Chester and Shrewsbury into his country, promising them a great booty. The two earls, having levied some troops, were received by Owen into Wales, where they committed unspeakable cruelties. The two kings, being thus surprized, were forced to fly over to Ireland for refuge, and leave the country to the mercy of the English, who, continuing their progress, made themselves masters of the Isle of Anglesey, which they laid waste with fire and sword. Whilst they were exercising these cruelties, Magnus, a Norwegian pirate*, being at sea with a small squadron of ships, in quest of booty, made a sudden descent upon the Isle of Anglesey; and the earl of Shrewsbury, attempting to oppose him with his forces, was himself slain, and his people put to the rout; and the pirate carried off all the spoil that the English had amassed in their late ravages.

England at this time (A. D. 1098.) suffered greatly by scarcity and inclement seasons. A bridge had some years before been built over the Thames, but being of a slight structure, had been washed away by the violence of the floods; William therefore gave orders for building a new one in the same place where London-bridge now stands, in so durable a manner as not to be subject to the like accidents for the future: this cost an immense sum, which was raised by a tax upon the people, who, from the dearth which prevailed, were ill able to bear fresh impositions. About this time likewise Westminster-hall was built, and remained till the days of Richard II. a noble monument of William's idea of grandeur and taste for architecture, it being the finest Gothic room in the world†. He likewise gave another instance of his magnificence, in surrounding the tower of London with new walls. These great works were, however, very badly timed; and although they adorned the kingdom, they impoverished the subject.

Rufus spent the year 1098 entirely in Normandy, in reducing to his obedience the city of Mans and the province of Maine. This business finished, he returned, a little before Whitsuntide, in the year 1099, to England, and kept the holidays in a sumptuous manner in his new-built hall at Westminster: after which he went into Hampshire, in order to indulge his favourite pastime of hunting, in the New Forest. As he was thus amusing himself one day, a messenger came in great haste, and

told him that the city of Mans was beleaguered by Henry, count of la Fleche, and that the castle could not possibly hold out, unless it was immediately relieved. "Ha! (replied William, sternly) is it so? Haste thee then back, and tell the besieged, that I will be with them in eight days time. They may depend upon it, and therefore let them continue to defend the place like men." And turning about to his attendants, he asked whereabouts the castle of Mans stood from the place where he then was: being shewn, he turned his horse's head, and calling with a loud voice to those that were about him, "Let him that loves me follow me," he rode directly for the sea-side. Dartmouth was the next sea-port town; being arrived there, they found an old vessel, on board which he embarked with his attendants, in spite of all their entreaties, who pressed him to wait till suitable provisions were made for his voyage and enterprize, and the remonstrances of the master of the vessel, who declared, that, on account of the roughness of the sea, and the tempestuousness of the weather, he could not set sail without almost unavoidable destruction. William, who never could brook delay in any scheme he had once conceived, chid the fellow for his fears, saying, "Didst thou ever hear of a king's being drowned?" and made him instantly weigh anchor: the next morning they arrived safe at Barfleur, from whence he posted to Bonneville, where he assembled his forces, and marched to the relief of the garrison in le Mans.

The enemy, surprized at this unparalleled dispatch, raised the siege, after a few skirmishes, and made a precipitate retreat, in which Hely was taken prisoner. Being brought into the king's presence, William behaved to him with an air of triumph bordering upon insult, which so nettled the count, that he fiercely told him, "That he had but little cause for triumph, since he had taken him unawares; but if he was at liberty again, it would not be found so easy a matter to overcome him in a fair contest." This speech roused all the warrior in the soul of William, who instantly ordered his captive to be set at liberty, bidding him be gone, and do his worst; "and by St. Luke's face (added he) if thou hast the good fortune to conquer me, I will not ask the smallest return at thy hands for the freedom I now confer on thee." This act undoubtedly shews William to have been a person of great magnanimity: and though some will have it, that herein he only followed a similar instance of generosity recorded of Julius Cæsar, by Lucan; yet, as Malmesbury, with no less truth than elegance, observes, William was too much taken up, in the course of his life, with military matters, to have had leisure for the study of letters, consequently this seems to have been the pure effect of his own generous disposition.

This year was distinguished by the taking of Jerusalem by the crusaders, who, on the reduction of that city, made an offer of the sovereignty of the country to Robert, duke of Normandy, who, for certain reasons, variously represented, refused it: but it appears most probable that this refusal arose from the expectations he had of succeeding

* Rapin, in his History, calls him king of Norway.

† This noble structure is computed to be two hundred and seventy feet long, and seventy-four feet broad. But how spacious soever this hall might appear, William, at his return from Normandy, found fault with its being so small, saying,

it was scarce fit to be a bed-chamber, in comparison of the pile he meant to erect. And Stow tells us, that a diligent searcher might yet find the foundations of the hall which he had proposed to build, reaching from the Thames-side as far as the common highway.

Death of William Rufus.



To his Grace
Duke of
This Plate is most



Aug. Hen. Fitzroy,
Grafton.
humbly Inscribed.

to the crown of England after the death of his brother Rufus. Be that as it might, his declining this honour was attended with fatal consequences to his interest ever after; and that dignity was conferred on Godfrey of Boulogne, whose bravery had contributed not a little towards the success of the expedition.

In the year 1100, the rage of crusading having seized upon most of the princes in Europe, William, who heartily laughed at these follies, found another opportunity of aggrandizing himself, by extending his possessions on the continent; for William, earl of Poitou, who was infected with the common malady, offered to mortgage his duchy of Aquitaine, and his other possessions, for a sum sufficient to enable him to become an adventurer. These dominions lay extremely convenient for Rufus; and as he had been hoarding immense sums, while his brother potentates had been exhausting their treasures in this enthusiastic expedition, he gladly accepted of the earl's proposal, and agreed to pay down the sum demanded, on condition that he should be immediately put in possession of the estates. The bargain being made, a great army was raised, and a mighty fleet fitted out from England, in which the king in person was to carry over the money, and take possession of the mortgaged territories.

Whilst these preparations for his voyage were making, he daily amused himself with the diversion of stag-hunting in the New Forest, where an unforeseen death put an end to all his mighty projects, in the following dark and doubtful manner*.

Sir Walter Tyrrel, a French knight, a native of Pontoise, drawn by the fame of the king's bounty, had lately come over to his court; and having the reputation of an excellent archer, William took him out to hunt with him in the forest; and a priest bringing him six arrows, he gave two of them to Tyrrel, who kept close by him all the day. Towards sun-set the king found himself alone with Walter, and at a distance from all his other attendants; upon which he alighted to wait their coming up, when a stag rushing out of a thicket, and passing close by the king, he snatched up his bow and let fly an arrow at the beast, which wounded him slightly; whereupon William mounting his horse followed him in hope of seeing him fall: as the sun shone full in his face, he held up his hands before his eyes, and remained some time in that posture looking at the wounded deer, when another starting from a covert, and crossing the path between Tyrrel and the king, the former let fly an arrow, which, either glancing from a tree or striking the horns of the stag, struck the king full in the breast, and piercing his heart, he instantly fell down dead without uttering a word. Upon seeing the fatal accident, of which he had been the innocent cause, Tyrrel galloped away to the sea-side, unheeded in the confusion occasioned among the attendants, who were now come up, and who beheld their monarch speechless and weltering in his gore; and getting over to Normandy, he from thence retired to France.

William's corpse underwent the same fate as that of his father had done; it was abandoned by every one, but some countrymen passing by, and seeing it lie in the forest, put it into a cart, and carried it to Winchester, where it was buried the next day, in the cathedral, without any funeral pomp, or the lamentations of any of his subjects.

Such is the common relation of this prince's death: and although it may be of no consequence to posterity to know the direct manner in which he came by his end, yet, as the fact concerns the memory of a person who is looked upon as the common ancestor of all that numerous family, both in England and Ireland, of the same name, I hope it will not be deemed impertinent if I dwell a little longer on it.

William of Malmesbury, Florence of Worcester, and Simeon of Durham, authors of the best credit, who flourished and wrote their histories within less than forty years after this accident, seem all to agree, not only in the time and place, but fix upon Tyrrel as the person from whom the king received his death. Yet there are also authors of that very age, and of unquestionable credit, who are not only doubtful whether it happened by chance or design, but some of them positively deny that Tyrrel had any hand in it. Eadmer, in speaking of it cursorily, only says, "that whether the arrow was shot at the king, or (as most affirm) flew him by his stumbling and falling down upon it, were needless to enquire, it being sufficient to understand that, which way soever it happened, it was by the just judgment of God, who thus revenged thousands of oppressed people, who had been deprived of their habitations and all means of subsistence, to make this a place of pastime for the late king his father." Dr. Brady, without sufficient authority, cruelly endeavours to raise a suspicion that Tyrrel killed the king designedly. Sugar, abbot of St. Denis, in France, and a contemporary and a companion of Tyrrel, furnishes us with a remarkable anecdote, in his Life of Louis le Gros, or the Fat, which entirely exculpates his friend; "William Rufus's death (says our author) was laid by some upon a noble person named Walter Tyrrel, who, they say, shot him through the body with an arrow; whereas we have often heard him affirm upon oath, when he had no occasion either to hope or fear, "That he neither came that day into that part or side of the forest where the king hunted, NOR EVER SAW HIM THERE†." And here we beg leave to observe, that Tyrrel, after his escape, lived in France unquestioned and unpunished.

Thus fell William Rufus, on the second of August, A.D. 1100, in the forty-fourth year of his age, after a reign of twelve years, ten months, and twenty days. In his person he was of a middle stature, but appeared shorter than he was, by reason he was very fat: he had a florid complexion; his hair yellow, inclined to red; one of his eyes was spotted, which made it look unlike the other. In bodily strength he exceeded most men of his time; his manner of speaking was ungraceful and

* It is reported, that the morning before this catastrophe, as William was taking horse, he was dissuaded from following the chase by Fitzhamon, on account of an odd dream a monk had told him that morning, which seemed to presage his death. Rufus, who paid little regard to superstitious opinions, smiled at the simplicity of his attendant, and ordered him to give the

monk a hundred shillings for his dream, saying, "The poor fellow is a monk, and, like a true one, has dreamt purely to get something: give him a hundred shillings for his dream, that he may not have dreamt for nothing."

† Sugar. Hist. Franc. tom. iv. p. 283.

stammering. His countenance was severe, and his voice strong, which he would frequently exalt in order to intimidate those to whom he was speaking; though it is said he was remarkably affable in private conversation among his courtiers.

As to his character; while we praise his courage, which was such that he thought it a stain on his honour if, on any warlike occasion, he was not the first who had a sword in his hand, or gave place to the meanest of his subjects in the time of danger; while we admire his magnanimity, which displayed itself, on many occasions, in a manner becoming the greatest of kings; while we record him as the professed patron of men of merit of all professions and degrees, to whom his court was always open, and whom he always encouraged according to their merits and abilities; while we acknowledge him generous even to a degree of profusion, in loading his soldiers with favours, and never laying a tax without a view of bestowing part of it upon them for their services: in a word, while we cannot deny that he had the highest ideas of grandeur, and a noble contempt for the fopperies of religion and disregard for superstitious opinions, and an extraordinary genius for architecture, equally useful as magnificent; while we subscribe to all these good qualifications, I say, it is to be wished that truth, which ever ought to guide the historian's pen, would permit us to cast a veil over his failings, instead of compelling us to own that every virtue was in him contrasted with its opposite vice; that his behaviour towards the English manifested his ingratitude, and shews him to have had no regard to his word or oath; that he made no scruple of violating the most sacred repositories of religious wealth to compass his ends, or gratify his avarice; that he oppressed his people in every form of tyranny and insult; that he made a scoff of God and religion; that he affected a ridiculous parade in regard to trifles about his own person; that he was haughty, passionate, rapacious, and dissolute: in a word, that the few actions of his life worthy commendation, were totally obscured by deeds that would have deservedly consigned a private person to the most ignominious punishment the insulted laws could inflict, and which when found in a king transmit his memory with never-dying odium to posterity.

The ordinary revenues of this king were probably the same with his father's; but as he ran into many more needless expences, he increased them oftentimes by extraordinary impositions and taxes, which were very frequent in his reign. To those he added the profits of the vacant fees, which brought him in very large sums: at the time of his death he was possessed of the archbishopric of Canterbury, the sees of Winchester and Salisbury, twelve rich abbies, and a great number of other smaller benefices; and therefore we cannot wonder to find the monks amongst the number of his most virulent accusers. By them we are told, that after having retained vacant benefices for several years, he set them up for sale to the highest bidders: however, it is related, that upon an occasion of this kind, when two priests were bidding against each other, he perceived a third who stood silent; and asking

what he would give for the living in question, the man replied, that he had nothing to give, or if he had, that his conscience would not allow him to be guilty of so flagrant an act of simony. The king, pleased with the honest boldness of his reply, swore by St. Luke's face that he was the most honest of the three, and should have it for nothing.

Having thus considered this prince on all sides, I shall here close his history with an account of the remarkable occurrences which happened during his reign: a method that has been adopted by some of our best historians, and which we shall continue to observe through the course of this work, as often as any such are found worthy the notice of the curious or philosophic reader.

In the second year of Rufus's reign there happened a dreadful earthquake throughout the whole kingdom, which was followed by a great scarcity of fruit, and so late a harvest that corn was not full ripe at the end of November.

On the fifth of October, in the year 1091, there fell a violent storm in several parts of England, especially at Winchelscomb, in Gloucestershire, where the steeple of the church was thrown down by thunder and lightning, and the crucifix, with the image of the Virgin Mary, was broken to pieces. The hurricane was followed by a noisome stench in the air. Holingshed.

Sir John Hayward adds, that there was also a thick smoke that darkened the sky.

On the seventeenth of the same month there happened a storm of wind, which was then south-west, the same point from which it blew in that tempest, so dreadful to the nation, in the reign of queen Anne; and yet this we are about to mention, seems to have been more fatal in the city of London, where it threw down above five hundred houses, and blew off the roof of Bow church, in Cheapside, by the fall of which two men were killed: the top of the steeple at Salisbury, and many houses there were blown down. Holingshed.

Sir John Hayward says it threw down six hundred and six houses in London, and that some beams of Bow church, twenty-eight feet long, were driven so deep in the ground by it, that not above four feet remained in sight. The Tower of London also received much damage. He farther adds, the next year, Osmund, bishop of Salisbury, finished the cathedral church of Old Sarum, and the steeple was fired by lightning the fifth day after the consecration of the church: which perhaps gave occasion to Holingshed's saying that the damage was done to Salisbury church at the same time that the roof of Bow church was blown off.

The year 1094 was very remarkable for so great mortality of men and beasts, in England and Normandy, that the ground lay untilld in many places, which caused a severe dearth. Ghastly and hideous sights were seen in England, as hosts of men fighting in the air, stars falling from heaven, and other such wonders. The ignorance and superstition of those ages have, we suppose, heightened the terror of the usual accidents in the phenomena of nature.

HENRY

Engrav'd for
MORTIMER'S
History of England.



J. Wale delin.

HENRY. I.

C. Grignon sculp.

HENRY I. furnamed BEAUCLERC. A. D. 1100.

ON the death of William Rufus, the crown of England undoubtedly devolved by right to Robert, duke of Normandy; for although this prince was never declared successor by his father to the kingdom of England, yet it is certain that he was declared eventually so by the peace of Rouen; and it is positively asserted by the best historians, that Henry himself had taken an oath to him as heir apparent, agreeable to the established customs of those times, and of which this very reign produced an instance; for all free men of England and Normandy, of what order and dignity soever, and of whatsoever lord they held or were feudatories to, were forced so to do homage and swear fealty to his son William, though then not above twelve years of age: add to all this the high degree of estimation in which Robert stood at this time, not only with the English nation, but almost with all Europe, on account of the matchless valour and conduct he exhibited during his taking part in the expedition against the Infidels, and for that noble disinterestedness he shewed in refusing the crown of Palestine when offered to him, being satisfied with having fulfilled his vow in assisting to reduce the another-city of the Christian world; so that there is no room to doubt, that, had he been present at the demise of his brother William, he would have succeeded, with little if any opposition, to the English crown; but, unhappily, his passion for knight-errantry lost him that throne to which he had a natural right, after he had so nobly refused one which he had merited by his great actions; for instead of returning home immediately after the reduction of Jerusalem, he loitered by the way in Apulia, where he married Sibylla, daughter of William count of Conversana, a lady renowned for her beauty and qualifications; and while he was indulging himself in the enjoyment of his fair bride, he lost an opportunity which never after occurred. His friends here hardly knowing where he was, did not dare bestir themselves; besides, that slothfulness and negligence, of which he had given but too many instances, and the great charge he had been at in making this voyage, made them apprehensive that at his return he would be in no condition to support those who should make an effort in his favour, nor to dispute the crown with his brother.

Henry, on hearing of the accident that had befallen his brother William, posted immediately to Winchester, where the royal treasures were kept, in order to make himself master of them; but William de Bretueil, a Norman nobleman, and eldest son to William Fitzosbern, the favourite companion and general of the Conqueror, who was keeper of the treasury, flatly refused to give Henry admittance, pleading in excuse, that as he had sworn fealty to Robert, who had the right of primogeniture, he looked upon himself as much bound in duty to own him for his liege lord, as if he was personally present; intimating at the same time, that this demand of Henry carried with it strong marks of a treacherous design. The altercation was on

the point of becoming very serious, and might have had fatal consequences, had not Robert de Meulant arrived in a lucky minute with a number of the late king's attendants, and declared in favour of Henry, obliging Bretueil to deliver up to him the treasures, the possession of which was to him almost as desirable an object as the crown itself.

Having now a sufficient fund to reward the services of those who should espouse his cause, he soon found his party considerably increased; and in less than four days after his brother's death, his friends having assembled a council in London, of the principal nobility that could be gotten together at so short a warning, Henry was, by the majority of voices, declared king; and the ceremony of his coronation was performed the following day (Sunday, August 5), by Maurice, bishop of London, who had been one of the first William's chaplains. And thus, by a most surprising and unparalleled dispatch (if not previously concerted) a total revolution was brought about in the affairs of the nation: a king in the flower of his age, and in the zenith of his power, was cut off by an instantaneous death, the cause of which was never judicially enquired into; the true succession was set aside, the treasures of the kingdom seized by a person who had not the least claim to them; and all this in less time than is commonly taken up to deliberate upon affairs of the most private concern.

As the coronation-oath had been, in many instances, violated by the late king, Henry thought he could not do a more acceptable act in the eyes of the whole nation, than in shewing a readiness and intention to secure their liberties to them; accordingly he caused a charter to be published and proclaimed, as soon as the ceremony of his coronation was over, which he ordered to be made out under his great seal, and which, on account of its importance, and being the basis on which the people afterwards obtained many advantageous grants from succeeding kings, I shall here set down, as it is to be found in bishop Wilkins.

I. HENRY'S Charter to all his faithful Subjects.

“ Henry, by the grace of God, king of the English, to all his barons and faithful subjects, both French and English, greeting.

“ Know ye, that by the mercy of God, and by the common counsel [with the assent*] of the barons of the kingdom of England, I am crowned king of the said kingdom; and because the kingdom hath been oppressed by unjust exactions, I, from the love of God, and the regard I bear you [all], in the first place, free the holy church, so as that I will neither sell nor farm out, nor, upon the death of an archbishop, bishop, or abbot, will I accept any of the church's property, nor aught from any of its tenants, until a successor enters upon the same. And I banish all the evil usages with which all the kingdom of England has been [unjustly] oppressed; part of which evil usages I here set down.

* This important word is wanting in one copy of this charter in the Red Book of the Exchequer, and interlined in another; it is likewise wanting in both copies exhibited by Matthew Paris.

"If any of my barons, earls, or of my tenants, holding of me, shall die, his heir shall not be obliged to redeem his land, as was the custom in the days of my brother, but shall relieve the same by a just and lawful relief*. In like manner shall the tenants of my barons relieve their lands from their lords by a lawful [certain] and just relief.

"And if any of my barons, or other my subjects, have a mind to give a [their] daughter in marriage, or sister, or niece, let him treat with me; but I will neither accept any part of his fortune for such licence, nor will I prohibit his disposing of her, unless it be to my enemy. And if any of my barons, or other my subjects, should, at his death, leave a daughter his heir, I will dispose of her with the advice of my barons, together with her lands. And if, upon the death of her husband, a wife shall survive without children, she shall have her [own] dower and marriage-portion; neither will I give her to a husband but with her own consent: but if the wife be left with children, she shall then have her dower and marriage-portion, nor will I give her to a husband but with her own consent, provided the wife shall keep her body in chastity, and either the wife, or some other relation, who is to deal justly, shall be guardian of the children and of the estate. And I command my barons that they act conformably hereunto towards the sons, daughters, and wives of their tenants.

"The common mintage money† which was taken throughout cities and counties, and was not in use under king Edward, I absolutely forbid to be taken for the future. If any minter, or other person, be taken with false money, let right justice be done upon him.

"All fines‡ and debts due to my brother I forgive, excepting my just farms, and those bargains which concerned the inheritance of others, or for those effects which justly concerned other persons: and I forgive all bargains which any man has made with regard to his right of inheritance.

"And if any [of my barons or tenants] shall lie ill, so that he dispose of, or give his money, I will that such disposition stand good; but if he, prevented by war or sickness, shall not give or dispose of his effects, let his wife, children, or parents, or his lawful tenants, divide it among themselves as shall seem best to them.

"If any of my barons or tenants forfeit, he shall not give a pledge for favour of the [whole] fine, as he did in the time of my father or brother; but according to the measure of the forfeit so shall he be fined, in such manner as fines were laid on under those my predecessors who reigned before my father and brother: but if he shall be convicted of treason, or wickedness, let him make satisfaction as shall seem just."

II. Concerning the Confirmation of King EDWARD'S LAWS.

"I do hereby pardon all murders committed before my coronation; and those which shall be

committed hereafter shall be satisfied for, according to the law of king Edward.

"I have, by common consent of my barons, retained to myself the forests, in like manner as my father held them.

"I grant, of my own free gift, to my knights (i. e. tenants by knights service), who defend their lands by their habergeons||, that their demesne lands shall be free from all unjust guilds, or taxes, and all works; [that their fidelity may be in proportion to my kindness] that since they are eased of so great a burthen, they may the better provide themselves with horses and arms, and so be made fitter and more ready for my service, and for the defence of the kingdom.

"I restore to you the laws of king Edward, together with these amendments, made by the advice of my barons.

"If any one has taken any thing from me, or from any other person, he shall forthwith restore the same, without making satisfaction; and he upon whom any such thing is found, shall make strict satisfaction to the owner.

"Given in presence of the archbishops, bishops, barons, earls, sheriffs, and nobles of all the kingdom of England, on the day of my coronation."

N. B. The words inclosed within brackets, thus [], are the supplements taken from Matt. Paris, the Red Book of the Exchequer, the Rochester copy, and others.

There were as many copies of this charter as there were counties, and one of them was lodged in the most eminent abbies in each county; nevertheless, there was scarce one to be found in the reign of king John, whose Magna Charta was founded upon it. There is a copy at this day in the Red Book of the Exchequer, and Matthew Paris has given us a transcript of that which was sent into Herefordshire, which has been translated by Mr. Tyrrel.

Henry followed this popular act with another equally calculated to win the affections of the people, and give them a good opinion of his sincerity and intention to observe what he had promised by his coronation-oath; for immediately after publishing the edict above-mentioned, he issued a very severe one against all offenders in general, but particularly against adulterers. As for those who abused their power by oppressing the people, he ordered them to be put to death without mercy: some great men who were notorious for having used their authority in an illegal manner, were driven from court; and Ranulph or Ralph Flambard, bishop of Durham, the detested minister of the late king, was thrown into prison. No measure could have endeared Henry more to the nation, who looked upon this prelate as the instrument of all the exactions with which it had been burthened in the preceding reign. If these proceedings caused the Eng-

* A fine formerly paid to the king by every one that came to an inheritance of land held in capite, or by military service.

† In the original, "Monetagium," Moneyage. This was a duty paid to the duke of Normandy, once in three years, by all householders excepting the clergy, knights, and military tenants, and their lawful children; and was paid in consideration of the duke's suffering the current money of Normandy to be changed.

‡ In the original, "Placita," which here signifies Penalties

or Mulcts. Thus we find in the Black Book of the Exchequer, "Placita autem dicimus penas pecuniarias in quas incidunt delinquentes." Lib. ii. tit. 13. And hence came the saying, "Comes habet tertium denarium placitorum," i. e. "The earl, or lord paramount of the lands, shall have the third part of the money arising from fines."

|| That is, by their arms. Habergeon was a little coat of mail, worn, in ancient times, to cover the head and shoulders.

lish to have a good opinion of the new king and his government, what he did soon after was no less acceptable to them, I mean the restoring to them the use of fire and candle, by abolishing the curfew-bell, that had been instituted by his father William I. This public favour was followed by another of a more particular tendency: the citizens of London having been greatly instrumental in putting the crown upon his head, by giving their voices for his election, he resolved to bestow on them a distinguished mark of his acknowledgement and regard by granting them a new charter, containing very ample privileges. This is still preserved under seal in the archives of Guildhall, recited by *Inspeximus**, and confirmed by the charters of succeeding kings, particularly king Charles the Second, and published by sir Roger Twyſden, in his additions to Lambard's *Archæologia*.

By this charter Henry granted to the citizens of London, and their heirs male, the farm of Middlesex at three pounds a year, and the power of chusing one of their own body, whomsoever they pleased, as well for sheriff as for their justiciary, to hold pleas of the crown, within the walls of this city; all other justiciaries being expressly prohibited from exercising any authority over the citizens, or forcing them to plead without the walls of the city, in any case whatsoever. The citizens were likewise exempted from scot, danegelt, trials by combat, lodging the king's retinue, and the pecuniary mulcts for murder, to which other towns as well as hundreds were subject. Besides which, both the citizens and their goods were declared free from toll, passage, lastage, and all other customs throughout England. No Londoner was to be fined or amerced beyond his Were, which was an hundred shillings; and as to debts, the citizens might recover them by suits within the city, and make good their titles to lands by city customs. The privileges of the court of hustings, which sat every Monday, as well as those of their wardmotes and common-halls, were confirmed; together with their ancient right of hunting in Middlesex, Surry, and the Woodlands on the edge of Buckinghamshire and Hertfordshire, called the Chiltren.

These just and mild beginnings gave the English great hopes that they should taste the sweets of ease and liberty under the rule of a prince, who had commenced his reign with acts of such a favourable tendency: nevertheless they still wished for one thing more, which was the recall of Anselm, archbishop of Canterbury, who had rendered himself exceedingly popular by the vigorous opposition he had shewn to the measures taken by the late king to curb the power of the clergy, which, in those days of superstition and darkness, were looked upon as little less than sacrilegious. Here too Henry fell in with the humour of his subjects, and, in order to gratify them as much as possible, he wrote a letter with his own hand to Anselm, who was then at Lyons, inviting him, in the most affectionate and cordial manner, to come over to England and take possession of his see, of which he had been so long deprived.

The truth of the matter is, that Henry stood in need of Anselm's advice and assistance towards the effecting a design which he had conceived of marrying Matilda, daughter of Malcolm, king of Scots, by Margaret the sister of Edgar Atheling.

This young lady had ever since her father's death resided in England, and had been educated in the monastery of Wilton, where she had put on the veil. It is true, she alleged that she had not vowed virginity, but had only made use of this expedient as a safeguard to her honour during the troublesome times when William I. took possession of the English crown; however, as it was known to all the world that Matilda had lived as a reputed nun, neither Henry, nor Edgar king of Scotland, of whom the English monarch had demanded his sister in marriage, chose to take any further steps in an affair which appeared so delicate, till it had first received the sanction of a general council. It was this consideration then that chiefly prompted Henry to send the invitation already mentioned to Anselm.

That prelate no sooner received the agreeable summons than he set out for England on the wings of ambitious expectation, and landed at Dover on the twenty-third of September. Immediately on his arrival, the affair of the king's marriage with Matilda, together with all the circumstances relating to that princess's having taken the veil, were laid before Anselm for his decision; but he would do nothing of himself therein. A synod was then convened at Lambeth, and the archdeacons of Canterbury and Salisbury were sent, with a true state of the young lady's case, as given in by herself, to the monastery of Wilton, where she had resided, there to enquire into the truth of her allegations, and then to make a report to the synod; which was accordingly done, and the report appeared so favourable for the lady, that she was declared liberated from her monastic state, which she had assumed only from the exigence of circumstances, and adjudged free to marry. This opinion of the assembly was confirmed by the archbishop, who himself performed the ceremony of the marriage, about the middle of November, A. D. 1100. to the infinite satisfaction of the people, to whom this alliance could not but be very grateful, especially the old English party, who looked upon their new queen with eyes of love and regard, as the only remains of the Cerdic race, from whom they hoped to see a renewal of the ancient Saxon line on the throne of this kingdom.

During these transactions duke Robert had returned from abroad, and taken possession of his dominions in Normandy without opposition, notwithstanding the mortgage of them which he had granted to the late king; Henry not thinking it politic to have any dispute with his brother on that head, at a time when he himself expected to have his right to the English crown called in question. But Robert, far from thinking himself obliged by this forbearance, openly shewed his discontent in having been supplanted in his birth-right, and resolved to attempt the recovery of what he had been deprived of, during his absence, exclaiming at the same time, with great justice, of the violation of the compromise so solemnly made between him and William at the peace of Rouen, by which the survivor was to succeed to the other's dominions.

Robert was not a little encouraged in the resolution he had taken to do himself justice by the arrival of Ralph, bishop of Durham, who had made his escape out of the Tower by letting himself down with a rope, brought him in a tub of water.

* Letters patent, so called because they began, after the king's title, with this word, *Inspeximus*.

The bishop was received with all imaginable marks of respect by Robert, who entrusted him with the management of his intended expedition against England. And now having received advice that Robert de Belleme, earl of Shrewsbury, with his two brothers Roger and Arnulph, Robert Mallet, Ivo de Grentesmevil, Robert de Pontefract son of Robert Lisois or Lacy, William de Warren, earl of Surry, and several other Norman and English noblemen of great property and influence, were ready to declare openly for him, as soon as he should set foot on English ground, he began to make preparations for invading this kingdom; and about Whitsuntide, A. D. 1101, publicly declared his intention of asserting his right to the crown of England.

On this occasion Henry found it necessary to exert all his abilities to counteract his brother's interest, which was every day growing stronger in the kingdom; and a misunderstanding which had, about this time, broken out between Henry and archbishop Anselm, on the subject of investitures, seemed not a little favourable to Robert's affairs; for the people, who were always ready to side with the clergy, who had gained a total empire over their minds, began to look with an evil eye upon Henry for the endeavours he used to support the royal prerogative against the encroachments of the church: in fine, a general discontent at this time took possession of all minds, and the nation was split into different factions.

Henry perceiving that his subjects fluctuated in their obedience, thought it most prudent to make up matters with Anselm, and to engage him to act as mediator between him and his people. Anselm, on his side, fearing that if he carried the contest with his sovereign to too great a length, he should find himself the loser in the end, readily struck in with the proposed accommodation, and set heartily about assisting Henry, who had faithfully promised to be a generous and affectionate patron to the church, and also declared himself ready to grant the people all the security they could desire for the preservation of their liberties, and a due observation of their rights and privileges, on the side of the crown. The archbishop either was, or affected to appear, so fully convinced of the sincerity of the king's intentions, that, in a solemn meeting of the states of the kingdom, he offered to become surety for the king, plighting his faith that he would, in all matters, religious and civil, rule agreeable to the laws of equity and justice.

This intervention of Anselm's proved extremely favourable to the king's affairs, and fixed the English in Henry's interest, who declared themselves ready to stand by him with their lives and fortunes. And here truth obliges us to declare, that the archbishop at that time kept the crown on Henry's head. But notwithstanding these fair promises of attachment and fidelity on the part of the nobles, it was no sooner known for certain that Robert was on the point of embarking, than the majority of the lords, and a part of the fleet, declared for him.

Robert, laying hold of this seasonable defection, put to sea with a fine fleet, and landed at Portsmouth, about Midsummer, 1101. Immediately

upon the news of his debarkation, Henry, who had a strong army posted at Pevensey, on the Suffex coast, advanced to intercept him in his march to London, and prevent him from being joined by such of his adherents as had already shewed themselves inclinable to espouse his cause. Nothing could at this time have kept up the drooping spirits of Henry but the fidelity and steadiness of Anselm, who attended him step by step, and, with unwearied assiduity, harangued, flattered, and threatened by turns those of whose attachment he was most doubtful, representing in so lively a manner the heinousness of breaking their oath of allegiance, that all the principal officers swore to a man to stand by their sovereign against all invaders. To crown his labours in Henry's behalf, Anselm publicly declared his intention to excommunicate Robert, in case he persisted in his design of driving his brother from the throne. Ecclesiastical censures were, at that time, more formidable to the priest-ridden vulgar than the most powerful armed force; and Robert soon found that his party, instead of increasing upon his arrival in vigour and numbers, daily grew weaker and dropped off. However, both armies continuing to march forwards, they came in sight of, and encamped over against each other on a plain not far from Winchester.

In this situation they remained for several days, without either side offering to come to action; Robert declining the battle on account of his not being joined by the reinforcements he expected from his friends on this side the water, and Henry from an apprehension that his soldiers would fail in their fidelity in the day of battle, and, by going over to his brother, put him in danger of losing his life and dignity.

Things standing thus, and the two brothers being equally desirous to come to a treaty, many messages passed between them, and many proposals were made and rejected on both sides; at length, by the mediation of Anselm, and some of the most prudent of the nobles in each army, an accommodation was effected on the following terms*.

I. That the king should resign to the duke the Contantin, together with all the other places and strong holds he was then in possession of, in Normandy, excepting Donfront, which he could not cede without violating the oath he had given to the inhabitants when they admitted him into their town, that he would never give it up but with his life.

II. That the friends of each party should have full restoration of all their lands and estates, both in England and Normandy.

III. That Henry should pay to Robert the yearly sum of three thousand marks of silver; and that if either of the two brothers died without lawful issue, his demesnes should be inherited by the survivor, as well in England as Normandy.

This agreement being signed and sworn to by twelve lords on each side, as guarantees for its faithful execution, both armies were disbanded, and Henry carried his brother Robert with him to court, where they lived together in the greatest apparent harmony for the space of two months, at the end of which term duke Robert took his leave, and embarked for his own duchy.

* Guthrie says, but without bringing his authority, that an interview was agreed upon, to be held by both brothers, without any attendants, in sight of both armies; and that,

after a little consultation together, they made up the peace on the above terms. Guth. Hist. Eng. vol. i. p. 429.

Henry, being now delivered from his formidable rival, and firmly established on the throne by the late accommodation, resolved to take severe revenge on such of the great men who had shewn themselves most zealous in the cause of his brother Robert. Opportunities of being revenged are seldom wanting to those who have the power in their own hands: accordingly, soon after the departure of his brother, he seized on the estates and persons of Hugh de Grentemesnil, Robert de Pontefract, and Robert de Mallet, on various pretences; but it was plainly perceived that their chief guilt lay in the good-will they had expressed towards the duke of Normandy.

But of all those who had espoused his brother's cause, no one was so particularly the object of his indignation and revenge as Robert de Bellesme, earl of Arundel and Shrewsbury, on account of his having openly (and, indeed, with an unpardonable imprudence) declared, "that Henry was an usurper, and that it would be an eternal disgrace to all, of the Norman or English nations, who should permit, much more assist, him in holding the crown in prejudice of his elder brother." Accordingly Henry summoned this young nobleman to appear before him at his court, and answer to five-and-forty articles of impeachment which he published against him, the least of which was sufficient to bring him to the block. The earl, conscious that, by his unguarded behaviour, he had given the king too fair a handle to ruin him, asked leave for time to prepare his answer; which being granted him, he made use of the interval to fortify his castle of Shrewsbury, determined to defend himself to the last rather than, by a tame submission, to encounter that fate which he knew was unavoidably prepared for him: at the same time he had recourse to his friends in Normandy, where he had a great estate, and sent his brother Arnulph to solicit aid from the Welsh, upon whose borders the greatest part of his English lands lay.

This overt-act of rebellion gave Henry the most plausible excuse for effecting his total ruin. Accordingly he ordered him to be publicly proclaimed a traitor, for having refused to appear before his peers in the king's court* when duly summoned; and issued out commissions for a general array of all the militia in England; and taking the field in person, went and laid siege to the earl's castle of Arundel, in Suffex: but he found it so strongly fortified, that he was obliged to turn the siege into a blockade. While this was doing †, he ordered the bishop of Lincoln to besiege Teckhill, another strong fortress of the earl's, lying a few miles from Doncaster, while he himself advanced into Shropshire, the greatest part of which belonged to Robert de Bellesme. Here he attacked Bridgenorth, accounted the strongest place in England, the earl, who was the most excellent engineer of his time, having exerted his utmost skill in fortifying it. This siege cost Henry some time and trouble, and

it is more than probable that he would have found himself baffled in his attempt had he not had recourse to money to bribe the garrison, which consisted of a body of Welsh, under Cadogan and Gervith, the two chief princes of Wales. This method proved effectual, and the Welsh surrendered the place after having defended it three weeks. Almost at the same time Henry received advice, that the officer he had left before Arundel, had compelled that castle to surrender; and that the bishop of Lincoln had proved no less successful in his operations against Teckhill.

Shrewsbury was now the only place of any consequence left in the hands of Robert: the roads to it were bad, narrow, and very fatiguing to an army in its march, the country being over-grown with thick woods, which the enemy had lined with archers to gall the soldiers in their passage; but Henry, with an admirable presence of mind, employing his men in cutting down the woods and opening the roads, soon got over these difficulties.

This desperate situation of his affairs struck Robert with dismay; he plainly saw it would be impossible for him to make head against so powerful a force as Henry was bringing against him; and therefore, as the king drew near the town, he went forth to meet him, acknowledged his crimes, and, presenting him with the keys of the place, threw himself upon his mercy. The king accepted his submission, and thus this dangerous insurrection was quelled in little more than a month from its first breaking out. The earl and his followers were disseized of all their estates in England, and obliged to quit the kingdom, and most of them died in exile.

By the ruin of the great family of Bellesme, Henry saw himself absolute master of his kingdom: before this time he had never considered himself as a real king; he now resolved to be so, by making himself independent of all powers abroad, and of every class of his subjects at home.

The most considerable power now left in the nation, distinct from that of the crown, was lodged in the bishops and abbots; and Henry could not, without a mixture of indignation and apprehension, perceive the attempts they were continually making to circumscribe the regal prerogative: the insolent and ambitious disposition of Anselm, not a little heightened by conscious merit of the late services he had done the crown, threatened Henry with little less than an annihilation of all his authority in ecclesiastical matters. That haughty prelate had two favourite points in view; the one was to oblige the clergy to celibacy, and the other to wrest from the crown the right of giving the investiture to bishops and abbots. In the midst of his ambition he had, however, sufficient discernment to know that the compassing his designs could not fail of being attended with many and great difficulties; but, nothing daunted at the prospect of the obstacles in his way, he convened a synod, in which

* It may not be amiss here to inform the reader, that when we speak of the king's court at this time, and of the peers, that there was a material difference between the peers of the king's court, or baronial peers, and commoner peers. The former were peers as they stood in relation to each other, as peers (*pares*) in the same court, and under one lord: all commoner peers were so to one another, but might be of different courts, and were peers only as they stood in relation to the community. The earl of Shrewsbury, therefore, being required to submit to the judgment of his peers in the king's

court, would not venture to stand his trial: and it must be confessed, that the methods taken by Henry to form the impeachment were both mean and ungenerous; for he had set certain spies about the earl's person, who were ordered to incite him to treasonable expressions; and he being naturally of an unguarded and impetuous temper, they soon found ample matter for an accusation, and had circumstantially set every thing down, ready to give in evidence had he stood his trial.

† A.D. 1102.

he procured a sentence of excommunication against all the married priests.

Having thus gained his end in one point without meeting with any opposition from the king, he thought he might securely set about the other; and proposed that the bishops which had been invested by the king should immediately resign their sees, or stand excommunicated *de facto*. This gross insult upon the royal prerogative touched Henry too near for him to suffer it to pass unrepented: accordingly the archbishop was summoned to appear at the king's court; to which he repaired, and was commanded instantly to do homage to the king, and to consecrate such prelates as the court had nominated to the vacant sees or abbeys, or else to depart the kingdom; the king declaring in express terms, "that no person should reside within his dominions, who denied him the allegiance due to a sovereign." But Anselm as resolutely replied, "that he was not to be intimidated by threats from his duty; and that he would retire to Canterbury, where he should continue to exercise his archiepiscopal functions, and wait the issue." Henry, finding the archbishop so resolute, began to wish he had not carried matters so far, more especially when he found that several of the bishops, who had received their investitures from him, could not be persuaded to continue in their bishoprics, out of fear of being excommunicated; however, as he was determined not to give up his prerogative, and the archbishop insisted as strenuously upon his point, all hopes of an accommodation seemed to be in vain, when at length an expedient was proposed and accepted by both parties, namely, that a deputation should be sent to Rome, to lay the whole affair before the pope; which was accordingly done. But the result of this embassy, together with the consequences of this dispute between the king and Anselm, which continued on foot several years, belongs more properly to that part of our history which treats of ecclesiastical matters in particular, to which we shall accordingly refer it, and proceed in our narration of the civil events of Henry's reign.

This ecclesiastical dispute did not divert Henry's attention from his own interest in other particulars. One of his principal aims was to reduce the exorbitant power of the nobility. He had acquired prodigious riches by confiscating the estates of the great barons who had adhered to his brother. Among the sufferers on this account was William de Warren, earl of Surry, who, having retired into Normandy after the accommodation between Robert and his brother, never ceased importuning the duke to use his good offices with Henry, in order to get him reinstated in his lands. Robert, whose heart glowed with the benign warmth of humanity and compassion, and was, besides, strongly tinged with the spirit of knight-errantry, thought his honour concerned in granting the boon of one who had suffered for his sake: accordingly, this year, 1103, he came over to England in person, to solicit a restitution of the possessions of the earl of Surry, and some others of his friends. Henry, who had been previously informed of the design of Robert's visit, though

made under the pretence of applying for the payment of his own pension, was fully prepared for his reception, and, immediately on his arrival, affected to be highly displeased with him for thus entering his kingdom without licence, and bringing with him in his retinue persons whom he knew to be enemies to him and his government, charging him, at the same time, with breach of the late treaty, by giving refuge and encouragement to the rebellious earl of Shrewsbury, and putting him in possession of his father's demesnes in Normandy. This sharp recrimination made Robert perceive that he had taken a wrong step in thus heedlessly putting himself in the power of Henry; but it was too late to recede, and therefore he pressed his brother warmly upon the subject of reinstating the earl of Surry; upon which Henry flew into such a passion, and let fall some hints of such dangerous tendency to Robert's safety, that this latter was glad to desist from his application, and endeavour to regain the king's good graces. In this ticklish situation he had recourse for advice to the count de Meulant, Henry's prime minister, the most dissembling and artful man of his time, who, having been properly prepared beforehand by his master, worked so effectually upon the duke's fears, by suggesting the danger he was in from having roused the king's resentment, that at length he prevailed on him to make the queen a present of the three thousand marks annually, which he received of her husband, in consideration of which she engaged to interpose her mediation and reconcile Robert to his incensed brother. This weak prince gave into the snare, and no sooner had he made over a formal resignation of his pension, than Henry's countenance cleared up, he treated his brother with the warmest caresses, the earl of Surry was restored to all his possessions, and Robert was left to return home the dupe of his own good-nature, and the contempt of those who had been his warmest friends, who plainly saw that nothing was to be expected from supporting a prince who was so little able to take care of his own interests†.

The ensuing year, 1104, afforded another remarkable instance of Henry's perseverance in his design of ruining the great nobles, and of wreaking his vengeance on all he suspected to be his enemies, or, what was the same thing, favourers of his brother Robert. William, count de Mortaigne, in Normandy, and earl of Cornwall, in England, the king's own cousin-german, claimed the earldom of Kent, as heir to Odo, bishop of Bayeux, who had accompanied the duke of Normandy in his expedition to the Holy Land, and died at Palermo, in Sicily. This claim he pressed in a manner that appeared to Henry rather too peremptory for a subject; but as it happened in the time of the public commotions, and that Henry suspected him of favouring the rebellious earl of Shrewsbury in his heart, he was not willing to weaken his own interest and strengthen that of his enemy by the defection of a nobleman of so great power and interest, therefore he amused him with specious promises, which kept him quiet; but as soon as Henry found himself securely established on the throne, he thought it high time to take down

† Ordericus says of him, that he never refused any thing that was in his power to grant. He lavished away his money in such a manner, that he was continually in want; and so extremely careless in what immediately concerned himself, that

he was frequently unable to appear in a garb commonly decent, much less in such a dress as became his station, his domestics abusing his lenity to such a degree as to steal his very cloaths.

his towering spirit, and make him an example to other of his subjects, who, presuming too far on their weight and importance, might be tempted to fly in the face of majesty. Accordingly, when the earl, upon finding the affairs of the kingdom settled upon a quiet footing, took an opportunity of repeating his claim, and demanding to be put in possession of the whole county of Kent, the king not only gave him a flat denial, but also exhibited against him a charge for divers malversations in the government of those counties committed to his care, and at the same time with several misdemeanors against the state; and the several articles being proved to the satisfaction of the judges, the earl was declared guilty, upon which he immediately fled over to Normandy.

And here I think it is pretty apparent that the justiciaries were the king's creatures, and ready to give any sentence that they thought agreeable to his ambition or avarice; for, upon the earl's withdrawing himself out of the kingdom, they condemned him not only to lose the lands which it may be presumed he had, like other rapacious Normans, usurped, but (what is utterly inconceivable) the earldom of Cornwall and all the great estates in Suffex and other counties, of which his forefathers were justly possessed, according to Domesday Book, and which he inherited from them by an undoubted title.

From Florence of Worcester and the Saxon Chronicles we learn that William, who had retired to his estate of Mortaigne, in Normandy, hearing of these transactions, and incensed at the ingratitude, perfidy, and avarice of king Henry, fell upon those lands belonging to him and his partizans, that lay contiguous to his own, and had not been delivered up to Robert pursuant to the first article of the peace concluded between the two brothers. In these operations he was soon joined by a number of the exiled noblemen, who were all greedy of plunder; but what greatly strengthened his party was the alliance between Robert de Bellesme and him. This latter nobleman was in possession of no less than thirty-four strong castles in Normandy, in which he had placed all the wealth he had amassed, and which were provided with good garrisons; so that these two turbulent chieftains and their adherents harraided their native country with continual devastations, while Robert, either despising the world and given up to devotion, or, as Eadmer observes, amusing himself in plays and feasting, took not the least step to oppose their progress; and his indolence seeming to increase in proportion to the calamities of his country, he at length, without the privity or consent of his brother Henry, clapped up an infamous peace with the rebels, which exasperated his subjects to such a degree, that they determined to throw themselves into the arms of Henry, for the protection of their liberties and properties.

All this time Henry had been acting the most crafty part. Ever since he had found himself in peaceable possession of England he began to look with a wishful eye upon Normandy, and was greatly desirous of annexing that duchy to his crown. Robert's ill conduct had confirmed him in the hopes of one day compassing his end, and he waited only for a favourable opportunity to put his design in execution. With this view he made not the least effort towards chastising the rebels for

their depredations on his Norman lands, either in person or by application to his brother. He knew full well that Robert's power was more to be feared than that of the malecontents, and therefore, with an unnatural and detestable policy, he suffered them to oppress his brother without offering the least assistance. This neglect of Henry's concurring with Robert's natural indolence, had been the chief inducement to the latter's having concluded the late disgraceful peace with the rebels.

That opportunity which Henry had been impatiently waiting for, now offered itself, and he did not fail to make the most proper use of it. Salo, bishop of Sens, and Robert, abbot of the same place, were the first who broke forth into open discontent (A. D. 1105), and publicly declared themselves; by excommunicating Robert, and flying over to England, where they were received with open arms by Henry, who now saw himself on the point of having his secret wishes fully satisfied. However, he had not as yet any justifiable pretence for coming to a rupture with his brother Robert; and moreover, he was fearful that if he should too prematurely declare himself, it might be a means of making the duke and the rebels join together for their mutual security, in which case it was past all doubt that they would prove an over-match for him, and prevent him from effecting his darling project.

Sensible of the blackness of his design, he thought it necessary to give it the face of justice, by yet appearing to act from a motive the very reverse of what really inspired his proceedings. With this view he wrote a letter to his brother Robert, representing in the strongest terms, that his conduct lately had given just ground of complaint to all degrees of his subjects, who could not, without great concern, behold the indolence and inactivity of his disposition, and the little care he took either to redress their grievances, or secure their properties; and that the late infamous peace he had made with the enemies of the public, and the despoilers of his country, had given those under his rule but too strong reasons to believe that they had little cause to look to him for protection. He entreated him in the most pressing manner to resume the sentiments of the prince and the common parent of his people, and instantly to set about redressing the grievances of which his subjects complained, or otherwise not to think it strange that, in case he turned a deaf ear to these remonstrances, he himself should be obliged to espouse the cause of the distressed Normans, if they should think proper to apply to him as their protector.

This artful letter, however it might be varnished over with the pretence of love and kindness, was in fact intended only as a libel to inflame the minds of the Normans to a greater pitch of discontent against their duke. Henry took especial care to have it made as public as possible, and the issue fully answered his expectations; for, in a very short time afterwards, he received a general application from the Norman nobility, beseeching him to have compassion on the miseries of their church and state, and take them under his protection.

This was precisely what Henry aimed at; and accordingly he no sooner received the invitation, than he hastened to comply with it; and, about the autumn of the same year, he passed over to

Normandy

Normandy, with a powerful armament, both naval and military.

This conduct of Henry must appear to every unprejudiced person a downright violation of every civil and political tie; and there is no doubt to be made but that Henry would have loudly complained of, and severely resented, the duke his brother's attempting to intermeddle in his government of the English, which, indeed, there seems to have been an equal reason for, since we find Henry, at the very time he was thus rebuking his brother for mal-administration, and assuming the character of protector of the distressed Normans, saddling his own subjects with an exorbitant imposition, in order to defray the expences of his expedition to Normandy, in which this country certainly could have no concern; and this tax was levied with all the aggravating circumstances of rigour*. But, indeed, we seem to have been fated, ever since our existence as a people, to be the dupes either of quarrels or alliances with the continent, for the most part equally frivolous and disadvantageous, notwithstanding that nature, by our insular situation, designed us to be exempt both from the one and the other. But to return.

No sooner was it known that Henry had landed at Barfleur than his court was filled with the Norman nobility, who all represented their real or fancied grievances in the most specious manner, imploring the king of England to take them under his protection. It required no great rhetoric to persuade Henry to gratify the principal wish of his ambition; but as the season of the year was too far advanced to admit of any military operations, he contented himself with having an interview with his brother Robert, which passed in recriminations on both sides: Robert, on his part, accused Henry with a design to stir up his subjects against him, and deprive him of his dominions. Henry charged his brother with having not only given asylum to rebels and the betrayers of their king and country, but with having made allies of those very pests to society, by agreeing to an infamous peace with them. This altercation would have grown very warm, had it not been for the interposition of some of the most moderate noblemen on each side, who pacified matters so well, at least in appearance, that Henry and his brother parted seemingly good friends; and the former returned to pass the winter in England, after having first made a kind of progress through those parts of his own estate in Normandy which he thought required his presence, and which he put in the best posture of defence he could against the ensuing spring. However, before he quitted Normandy, he, against all the laws of nature and nations, seized into his hands the strong towns of Bayeux and Caen, belonging to his brother Robert, and garrisoned them partly with his own English troops, and partly with Norman malecontents; he like-

wife made an attempt upon Falaise, but here he miscarried.

During his stay in Normandy he appears to have entered into a private negotiation with Roger de Bellefme, earl of Shrewsbury; at least there can be no other plausible reason for a man so obnoxious daring to enter his territories, which he did soon after Henry's return to England, and staid with him part of the Christmas holidays; but whether the king was not able to bring him wholly over to his purpose, or it was thought proper to cover the secret convention between them for the earl's betraying his lord, they parted, in appearance, greater enemies than ever. Nevertheless, Robert seems to have taken the alarm at this interview; for in the very beginning of the year 1106 we find him making a visit to his brother Henry, who was then keeping his court at Northampton. On this occasion, Robert, with great mildness, though with a resolution that seems to have been inspired into him by the desperate situation of his affairs, expostulated with the king on his late unwarrantable conduct in Normandy, and peremptorily demanded restitution of the towns he had unjustly taken from him in the course of his expedition. Henry as peremptorily refused to do him the right he applied for; and Robert, who now plainly saw that nothing less would satisfy this ambitious and unnatural brother than the reduction of all the rest of his duchy, left him soon after, and returned home full of resentment, to prepare in the best manner he was able to repel force by force.

Although Henry had all the preceding winter before him, and the whole of this spring, to levy an army for this year's campaign, yet he met with such retardments in his operations, and especially in collecting the great sums wanting on this occasion, that he was not able to pass over into Normandy till the latter end of July. But before he left England he called an assembly of his states in London, in order to have the sanction of their opinions to his proceedings. At their meeting he harangued them in an eloquent and premeditated speech, in which he set forth the justice of his undertaking, "which was, he said, wholly inspired by that regard he did, and ever should, pay to the liberties of the subject, having received certain informations that his brother Robert, in conjunction with the arch-rebel Bellefme, and others of his confederates, had entered into a design to wrest from him all the territories he possessed in Normandy, and to subject his faithful Normans there to the same cruel sway under which the rest of that duchy groaned. He reminded them of the contempt that Robert had shewn to Heaven itself in refusing the crown of Jerusalem when it might have been put upon his head. He pointed forth his brother's foibles in the most odious light, and expatiated with a malicious prolixity on every exceptionable part of that prince's character; adding,

* Among other taxes raised on this occasion, we read of one imposed upon priests, by way of fine in his courts, for keeping wives or concubines. These prosecutions were founded upon the Vth, VIth, and VIIth articles of a synod held at Westminster, in the second year of this king's reign, which we shall have occasion to treat of in the ecclesiastical part of this history. There is the greatest reason to believe that some of the heaviest taxes were collected merely by the strength of prerogative, without the least regard to the privilege of the subject: and we are told, that those who were unable to pay, had their houses plundered, and their effects confiscated; and that

if these were not found sufficient to pay the assessed sum, the persons of the insolvents were imprisoned. But of all the oppressive exactions none was more vehemently complained against than a tax that was laid upon all parish-churches, the incumbent of each church being made answerable for the payment of the rate imposed upon his parish. It is further related, that Henry coming to London during the rage of this oppression, was met by two hundred parish-priests in their surplices, who, on their bare knees, petitioned for some relaxation of their miseries, but without the least effect, Henry not being a person who would suffer pity to get the better of his interest.

that it was well known to the assembly, and to the nation, that his brother had ever expressed the most insulting contempt for the English people in general. He next passed on to himself, assuring them that he wished to live and reign over them no longer than he religiously observed the oath he had taken at his coronation, to maintain their ancient liberties, and preserve inviolable the wholesome laws of the holy king Edward; and referred them for a proof of his sincerity to that charter with which he had begun his reign. He also pretended to have received letters from pope Paschal II. with whom he was now on better terms than formerly, inciting and directing him to rescue Normandy from the ill government of his brother, promising him his apostolical benediction, and prayers to heaven for his success, who was about to engage in the cause of God and an oppressed people. In fine, he concluded with this expression, "If my brave English stand by me, I shall ever despise the threats of my brother and all his Norman adherents." This artful and dissembling discourse had all the effect he could desire from it: the lords, flattered with the shew of confidence he reposed in them, and suffering themselves to be led away by a specious eloquence, without comparing his flowery promises with his past actions, they unanimously concurred in assuring him that they would stand by him in this and all his enterprizes.

The example of the English parliament had a powerful influence with the Norman nobles, few of whom adhered to the interests of Robert, except the earls of Shrewsbury and Mortaigne, who, with their dependants and an inconsiderable number of others, were determined to exert their utmost efforts to oppose the unnatural invasion.

Henry's first attempt was against Tinchebray, a strong fortress belonging to William, earl of Mortaigne, which he invested in form of a blockade, on finding it too well provided for defence to be reduced by a common siege: he therefore built a strong fort over-against it, as was the custom of those days, in order to be a curb upon the besieged, and prevent them from making any successful sallies, and sending out in quest of provisions; but here his precaution proved ineffectual, for the earl of Mortaigne soon after surprized this fort, put its garrison to the sword, and opened a communication with the town. Henry, though enraged at this check, was far from being cast down with these unsuccessful beginnings; on the contrary, he resolved to venture every thing in order to make himself master of the place in defiance of the enemy, and therefore assembled his army, and renewed the siege; but the place being well provided with all necessaries, it held out long enough to give time to Robert to come to its relief with a powerful army, which had been raised with the assistance of the earls of Shrewsbury and Mortaigne, and reinforced by a supply of French troops which the king of France had sent to the assistance of the duke: several Norman lords had also come over to his party, on perceiving that Henry was acting less for their sakes than for his own.

Robert, on reviewing his army, found it nearly equal in numbers to that of his brother, and therefore determined to give him battle. This battle, which was fought under the walls of Tinchebray, began by a furious onset on the side of Robert, who attacked the main body of the English with so much fury that he broke their ranks. The earl of Mortaigne at the same time seconding the efforts of the duke, attacked one of the enemy's wings, consisting chiefly of Welsh, so bravely, that he obliged them to give way; but Robert de Bellesme, who commanded the left wing of the duke's army, either out of cowardice or treachery, suffered the body under him to be put to flight, with little or no opposition, by the count de Maine; and Henry advancing at the same time with a fresh body of troops to sustain his centre, which had been so roughly handled by his brother Robert, the fortune of the day was entirely changed. The duke's army, overpowered by numbers after the defection of the left wing, was entirely routed. Robert de Bellesme, flying early from the field, escaped; but duke Robert himself, the count of Mortaigne, Robert de Stotenville, William Crispin, and William de Ferrieres, with a great number of the common soldiers, were taken prisoners. Among other illustrious personages who were made captives by that day's misfortune, was Edgar Atheling, who appears to have lived for some time before at the court, and in the closest connection with duke Robert, their parity of dispositions having formed them for each other. However, Henry immediately ordered Edgar to be set at liberty, who afterwards came over to England, where he retired into the country, and ended his days in a peaceful retirement, worn out with age, and without marriage or issue.

The duke of Normandy and the earl of Mortaigne were less favourably dealt with; the latter was shut up in the Tower of London, and the duke in Cardiff castle, in Wales, where he remained a prisoner till his death, which did not happen till twenty-seven years after his defeat, and the loss of his dukedom†. William de Ferrieres fared better, through the bravery and fidelity of the garrison and inhabitants of Falaise, who having bound themselves by an oath not to deliver the place to any one but him or duke Robert, the politic Henry was glad to give him his liberty on condition that he would put him in possession of it, rather than it should fall into the hands of Robert de Bellesme, from whom he knew it would be no easy matter to recover it: besides, he looked upon the surrender of this place of the greater consequence to him, as it would put into his hands William the only son of his brother Robert, whose being in his power would necessarily secure to him the undisturbed possession of that duchy, which had all along been the main spring of all his motions.

The victory of Tinchebray had, in effect, made Henry sole master of Normandy, and nothing now seemed wanting to place him on the pinnacle of his hopes but the submission of Robert de Bellesme, earl of Shrewsbury; and here fortune, which seldom

† We are told by Mezeray and Matth. Paris, that this unfortunate prince having attempted an escape, Henry ordered his sight to be taken away, by a red-hot copper basin applied to his eyes. And hence, says Mezeray, in his *Orig. de la Langue Italienne*, came the Italian word *abacinare*, to blind. However, the silence of most of the best historians in regard to

this unnatural deed, renders the fact doubtful; and, indeed, humanity will hardly give us leave to suppose that Henry could be so far lost to every sentiment of gratitude and brotherly affection, however actuated by ambition, as to inflict so cruel a punishment upon a brother, who had so generously saved his life at the siege of Mount St. Michael.

dispenses her favours or frowns by halves, gratified the wishes of the king of England to their fullest extent; for the earl, who had the good fortune to escape out of the battle, as hath been already observed, and who bore an implacable resentment against Henry, as soon as he got over to Normandy, used all his endeavours to persuade the count of Maine to take up arms for the deliverance of Duke Robert; but not finding the earl inclinable to his proposal, and perceiving no possibility of supporting himself alone against the victorious monarch, he resolved to submit to the current of the times, and made some overtures to Henry for a reconciliation, which was readily agreed to on the part of the latter; and in consequence thereof the earl was reinstated in most or all of his paternal inheritance.

In Lent, 1107, Henry returned in triumph to England, where he distinguished his arrival by acts that were highly pleasing to the nation in general. He had too much good understanding not to know that the sovereign power is ever most firmly established in the hearts of the people; and, indeed, we seldom find him exerting any arbitrary methods of oppression, but when his particular exigencies pushed him upon them. He now called an assembly of his states at Windsor, in which he rectified many abuses, and in particular issued a severe edict against the coiners of false money, who were of late grown very numerous and bare-faced; by this edict, every person found guilty of these practices for the future, were to be punished with the loss of sight and virility. He also made several other useful regulations at this time, a concise account of which, we believe, will not be disagreeable to the reader, as they are not to be met with in every historian.

The inhuman custom, which still continues to be a scandal to this country, then prevailed, of the proprietors of lands on those shores where a ship happened to be wrecked, seizing on the wreck as their own property, and knocking the unhappy wretches on the head who had escaped the fury of the sea, or suffering them to perish with hunger and misery. This barbarous custom Henry abolished, decreeing, at the same time, that in such cases, if one single soul remained live, both ship and cargo, if saved, should belong to him. But this excellent edict was repealed under his successor, to the reproach of his reign.

He also made a regulation for measures throughout the kingdom. All these acts of reformation were highly agreeable to the English people: but, by a strange contradiction, he at the same time revived the detestable tax of Danegelt, at the rate of two shillings for every hide of land; and likewise enforced several rigorous laws relating to the forests made by his father and brother †.

The year 1108 threatened Henry with a storm about to break upon his foreign dominions. Philip, king of France was dead, and had been succeeded by his son Lewis, surnamed le Gros, or the Fat. This monarch looked upon Henry as a very formidable neighbour, since his becoming master of Normandy, and therefore resolved to leave nothing undone to retrench his over-grown power. With this view he had recourse to Wil-

liam, surnamed Crito, son to the unfortunate duke Robert, a prince of great hopes, but in his non-age. Henry, however, who had his emissaries in every place where it was his interest to know what was transacted, quickly received information of the proceedings of the French king; and fearing he might inspire the young prince with a design to claim his father's dominions, in which case he foresaw an infinite deal of trouble would necessarily ensue, he prudently resolved to be beforehand with Lewis; and accordingly, about the beginning of August of this year, he passed over to Normandy, but without suffering the least particle to transpire that could give his opponent reason to believe he was advised of his machinations. On the contrary, he gave out that the sole motive of his journey was to visit his strong holds in Normandy, and put them in a proper posture of defence. However, on a sudden, he detached Robert de Beauchamp, with a party of horse, to seize the prince, who was then in a castle belonging to Elias, count of Sedan, and convey him to a place of security; but William and his governor, having got notice of his intentions, made their escape into France; and Lewis, finding his designs were discovered, laid them aside for the present. Henry having thus, by his vigilance and activity, frustrated the schemes of those who sought to disturb him in the possession of his new-acquired dominions, returned to England in the summer of 1109; and, about Whitsuntide, held a general council of his states at Westminster, where ambassadors appeared from Henry IV. emperor of Germany, to demand his daughter Matilda in marriage, which was agreed to, and the terms adjusted in the presence of the council. Henry laid hold of this opportunity to lay a tax of three shillings on every hide of land, by way of raising a marriage-portion for his daughter, grounding his demand on a custom which had subsisted time immemorial in all countries where the feudal system was established, for the subjects to furnish an extraordinary subsidy on the marriage of the king's eldest daughter; a custom of which we have still the remains amongst us to this day. The sum raised by Henry on this occasion is said to have amounted to nearly eight hundred thousand pounds of the present sterling currency.

This year is distinguished by the death of Anselm, archbishop of Canterbury, a prelate of great learning for the age he lived in, but ambitious, haughty, and bigotted to the last degree, as will more plainly appear when we come to give his history as a churchman, in its proper place.

Much about this time we also find the seminary of learning at Cambridge restored, and put upon a more respectable footing, after having for many years lost all its lustre, insomuch that its professors could find no better accommodation to give their lectures in, than an old barn.

In the beginning of the year 1110, the princess Matilda was sent over to her husband, with a noble retinue. But the pleasure Henry received from this alliance was not a little damped by hearing of the steps that were taken by several great noblemen of Normandy, in conjunction with the king of France, to place his nephew William on the throne of that duchy. Amongst those who espoused

† This year died Edgar, king of Scotland, brother-in-law to Henry, after a peaceful reign of nine years and six months, in which his gratitude to the Norman race appeared, by his

never giving, as had been the manner of his country, any diversion to the English arms, when embroiled either in foreign or domestic wars,

the cause of the young prince, none exerted themselves so strenuously as Robert de Belleſme, the reſtleſs earl of Shrewſbury, and Fulk, earl of Anjou, the latter of whom had engaged the city of Conſtance, in Anjou, to revolt from its allegiance to Henry. This determined the king to paſs over to Normandy, in hopes that his preſence would ſurprize the inſurgents, and awe them into ſubmiſſion.

Accordingly he repaired thither in Auguſt, 1111, and continued two years abroad, during which time he proſecuted the war againſt the favourers of his nephew with various ſucceſs, and had no ſmall difficulties to encounter; however, by a perfeverance which would have done honour to a better cauſe, he at length ſurmounted all obſtacles. He found means, towards the end of the year 1112, to detach the earl of Anjou from the party of William and the French king, upon a promiſe of marrying his eldeſt daughter to him, and beſtowing on him the earldom of Maine, for which he was to do homage. As to the earl of Shrewſbury, who was his moſt inveterate enemy, having been ſent by Lewis on an embaiſſy, about a treaty or conference in order to come to an accommodation, and coming to Bonneville on the Tonque, Henry cauſed him to be arreſted †, and ſent to Cherbourg, and from thence into England, where he was condemned to perpetual imprifonment at Wareham, in Dorſetſhire.

This ſeizure of the perſon of Robert de Belleſme was attended with the moſt ſalutary conſequences to Henry's Norman affairs; for the court of France, thus deprived of, or abandoned by, its moſt powerful friends, found itſelf too weak alone to ſupport prince William's pretenſions; and ſoon after, to the amazement of all the world, Lewis and Henry had an interview at Giſors, which was followed by a treaty of peace, in which the former agreed for ever to renounce his pretenſions to the dukedom of Maine and the ſovereignty of Bretagne, and Henry thereupon received the immediate homage of that duke.

The young prince of Normandy, thus deſerted, was obliged to take refuge in the court of Baldwin, earl of Flanders, who generously gave him protection, and a ſubſiſtence ſuitable to his birth and rank.

Theſe troubles being thus happily terminated for Henry, he returned to England in July, 1113. Before he had undertaken his Norman expedition, he had admitted into England a great number of Flemings, who, by the inundation of the ſea on their own coaſts, had been obliged to emigrate in queſt of new habitations. They were kindly received by Henry, and firſt of all ſettled in the more barren parts of Yorkſhire ‡; but were afterwards tranſplanted into Roſs and Pembrokeſhire, where they formed a ſtrong barrier againſt the neighbouring Welch, who were every now and then diſturb- ing the frontiers between the two nations by their invaſions. Theſe latter, enraged to find themſelves thus bridled by a ſet of vagabonds, became ſo troubleſome, that Henry was reſolved to march againſt them in perſon, and make the entire conqueſt of their country. Accordingly he entered

Wales in the year 1114, with a numerous army; but, after many vain endeavours to bring them to a general engagement, which they always eluded by retiring to the mountains on the king's approach to give them battle, he found his army ſo embarrassed by the fatigues of their march through an almoſt impaſſable country, that they were in the greateſt diſtreſs; and as there appeared no likelihood of drawing the enemy out of their holes and lurking-places, he thought it moſt politic to liſten to terms of accommodation, a peace was made with them, and thus the expedition ended, with little advantage, and leſs honour to the Engliſh arms.

As ſoon as he returned to London, he yielded to the intreaties of ſeveral of his nobles, both eccleſiaſtical and ſecular, and filled up the vacant ſee of Canterbury, the revenues of which he had kept in his hands for five years. Ralph, biſhop of Rocheſter, was on this occaſion unanimouſly choſen archbiſhop, to the great ſatisfaction of the people, by whom he was highly eſteemed; and Thurſtan, one of the king's chaplains, was nominated to the ſee of York. At the ſame time all other vacancies were filled up, but with ſuch glaring partiality to the Normans, as made the Engliſh in general murmur loudly, and indeed not without juſt cauſe.

The latter end of September, in this year, Henry went over to Normandy, in order to get his ſon William, then only twelve years of age, recognized as his ſucceſſor in his Norman dominions. This point he effected, and all the great barons ſwore an eventual fealty to the royal minor; and Henry returned to England, where the year following he did the ſame, in order that nothing might be wanting, that human prudence could invent, to ſecure a long continuance of the ſceptre in his own line. In the month of September, he called a great council of his peers, both ſpiritual and temporal, at his palace of Weſtmiſter, where ſeveral matters relating to the preſervation of the peace of the kingdom were diſcuſſed and provided for. This, and ſome little diſputes between Henry and the princes of South Wales, are all the tranſactions that we have of the year 1115.

The following year, 1116, proved more fruitful of events; for Lewis of France, ſtill jealous of Henry's riſing power, had reſumed his engagements with prince William of Normandy, ſon to duke Robert; and claiming, as ſovereign lord of Normandy, a right to diſpoſe of that duchy, he gave the inveſtiture of it to the young prince, and promiſed to aſſiſt him with all his power: he alſo found means to bring ſeveral of the French princes to join his army; and affairs put on ſo ſerious an aſpect, that Henry found it abſolutely neceſſary to paſs over into Normandy. But before he ſet out on that expedition, he ſummoned a great aſſembly of the ſtates at Salisbury, on the thirteenth of March, in which he got his ſon William to be publicly acknowledged as his ſucceſſor, and all preſent took an oath to defend his right againſt all pretenders whatever. Some hiſtorians, and among others Polydore Virgil, and from him Stow and

† The pretence alleged by Henry for this breach of the nations, in ſeizing the perſon of an ambaiſſador, was, that the earl, having been ſummoned thrice to the court of his lord (Henry) of whom he held his lands in Normandy, had not appeared to answer the charge of treaſon preferred againſt him, or to give an account of thoſe revenues of the duchy which he

collected in virtue of his office. Order. Vital. & Sugar. in Vita Ludov. Groſſi.

‡ Vide Flor. Wigorn. The Flemings' Way, a work of theirs, is ſtill ſeen in Pembrokeſhire, reaching through a tract of great extent.

Speed, have dated the beginning of our parliaments from this assembly, probably on account of the fullness of it, and the great number of leading men of the nation mentioned as being present: however, this council seems to have been nothing like a parliament; but of this elsewhere.

After the breaking up of the council, Henry went over to Normandy, where he found that Lewis had entered that duchy with a powerful army, declaring his intention to place young prince William on the throne, and that he had been joined by several French and Norman lords, who had entered into a confederacy with the French king to reduce Henry's exorbitant power in France. The chief of these were Baldwin, earl of Flanders, the duke of Burgundy, the earl of Blois, and the earl of Nevers. Having notice of Henry's arrival, they marched with their forces to meet him, as far as the river Epte, where they found him safely encamped on the opposite side. While the two armies lay in sight of each other, neither party daring to force its passage, Lewis sent a challenge to Henry, offering him to decide the dispute between them by single combat; but Henry very wisely declined it, giving for reply, "that true valour was best proved by the conduct in the field; and, to shew Lewis that his not accepting his challenge did not proceed from fear, he offered to give him battle whenever he should chuse it." Lewis, fretted to the soul at being thus disappointed of his romantic revenge, resolved to lay hold of the first convenient opportunity to try his strength with the king of England in the day of battle; but it was some time before he found the opportunity he desired. However, several skirmishes happened while the two armies remained so near each other; but the Normans being constantly supported by detachments from the castle of Gisors, then in their possession, the French were generally worsted; and in one of those petty battles in particular, they met with so severe a check as prevented them from making any farther progress this campaign, and they were obliged to retire to their winter-quarters.

The ensuing year, 1117, Henry found himself greatly distressed, for the spirit of disaffection to his government grew so strong among the Normans, and his brother Robert's interest gained such ground every day, that he knew not whom to trust. The city and garrison of Evreux had been traitorously delivered into the hands of Amaury de Montfort, by its governor Pointel; nor could any offers made by Henry to that nobleman bring him over to his interest. The French had taken l'Aigle; and the king, with the earl of Blois, attempting to recover the place, had like to have lost his life, and was forced to raise the siege. The earl of Anjou had invested Alençon, of which he had made himself master, together with several other strong holds in that neighbourhood. Baldwin, count of Flanders, made such terrible havock in the county of Eu and Pais de Caux, that the king was provoked to send him a message, "that if he continued his ravages in that manner, he would march in person at the head of an army, and reduce all his territories to a general desert as far as Bruges." The count, in return to this menace, sent

him back for answer, "that he would save him the trouble of so long a march by meeting him at Rouen:" in which he was as good as his word; and advancing under the walls of that place, challenged Henry to a battle, which the latter durst not accept, nor even to make a sally, but quietly suffered the suburbs of the town to be plundered and burnt, and the count, who had thus insulted him, to retire with his forces unmolested. On this occasion, some of his courtiers took the freedom to represent to him how much he wronged his own reputation, and that of the troops under his command, to continue thus inactive, while the enemy was daily making fresh progress, and taking his towns from him under his very eye: "Tush, man (replied Henry), I know the French well! and the king my father has often told me, that the best way to defeat them, is to let them spend their first fire."

The year 1118 was ushered in with a truly melancholy event, not only to Henry, but to the English nation in general; I mean the death of the excellent queen Matilda, who had been greatly instrumental in preserving the peace of England during the absence of her royal consort in his Norman expeditions, by her many virtues and exemplary justice and moderation. Her death happened on the thirteenth of April; and she was interred in Westminster abbey †. This year also died Robert, earl of Meulant, Henry's first minister: he was a foreigner by birth, and, considering England only as a conquered province, he had put his master upon many oppressive measures, which had hurt him greatly in the good-will of the English.

During the course of this year some lucky circumstances fell out in favour of Henry's affairs; and one in particular was the death of Baldwin, earl of Flanders, the most implacable of all the king's enemies, who was mortally wounded at the siege of the castle of Eu, which he took from Henry. He was succeeded in his earldom by his nephew Charles, son to the king of Denmark; who, being of a more pacific disposition, quitted the party of the allies to govern his dominions in peace and independency. Much about the same time also died Enguerraud de Chaumont, the most active and brave commander among the confederacy, who had surprized the castle of Andeli, and, while alive, kept the whole county of Rouen in continual alarms.

But nothing proved of so much real advantage to Henry as the gaining over Fulk, earl of Anjou, to his party. The reader may remember, that it had been agreed that the prince-royal of England should marry this earl's daughter ‡, but as both parties were then too young for the connubial state, the marriage had been delayed; but now that nobleman gave Henry to understand, that he was ready to espouse his cause, provided he would fulfil the contract between them, and send over for his son Henry to consummate the nuptials. Henry joyfully accepted the proposal; and the young prince arriving about Easter, 1119, the marriage was celebrated in the presence of the parents of the royal couple the June following.

Thus freed from the diversions that had employed the greatest part of his forces on the side of

† I cannot omit a singular circumstance relating to the burial of this princess, which concerns the antiquities of our country, viz. that the sheriffs of London had the care of her funeral, as appears by a famous roll in the Exchequer, where,

in their accounts passed in the said roll, they charge the crown with fifteen shillings and two pence half-penny for oil expended in burning upon her tomb.

‡ See the foregoing page.

Anjou, Maine, and Flanders, Henry seemed to rouse on a sudden from his lethargy, and, uniting all his forces, rushed like a torrent upon those countries which had been taken by the allies, spreading slaughter and desolation wherever he came.

The French, from Henry's late inactive behaviour, had entertained notions very little favourable to his courage and abilities. He now taught them that they had been greatly mistaken in him, and that what they had imputed to fear, or want of military skill, had been the effect of refined policy; while all those of his own party were fully convinced of the truth of his remark* concerning the French. He now also took an opportunity of severely chastising those barons who had busied themselves against him in the course of the war; after which he laid siege to the castle of Evreux, which he took and burnt to the ground, not even sparing the churches or religious houses.

Having thus vented the first emotions of his long with-held fury, he advanced against the king of France, whom he now challenged to battle, calling upon him to support in the bloody field those imputations he had so injuriously thrown upon his courage. Lewis, who burnt with equal ardour to signalize himself against the king of England, made all the necessary preparations for receiving him, like one who was determined not to be out-done in bravery or conduct. In order to secure the Normans more effectually in his interest, he took all occasions of shewing particular marks of love and respect to prince William, to whom he gave the next post of command in his army under himself, ordering him to advance towards Andeli, upon the river Seine, and make himself master of the castle of Noyon, designing to keep close after him with the main body, in order to support him in case of a battle. Wise as these precautions were on the part of the French king, yet Henry, by his great expedition, rendered them of very little effect; for advancing by forced marches, he came up with the detachment under William so unexpectedly, that it had scarce time to form. The prince instantly sent notice of this situation of affairs to Lewis, who, marching up with all expedition, joined the advanced body of his army, and began to make all the necessary dispositions; but the English pushed on so furiously, that he had hardly time to form his first line when the battle began. Nevertheless, prince William, who had orders to sustain the first shock of the enemy while the rest of the army was getting into order, did it with so much bravery and intrepidity, that he not only made the English van give way, but, following his advantage, pierced their main body, commanded by the king in person. And here Henry had more occasion than ever to exert that courage and intrepidity which seems to have been truly a part of his character. He maintained his ground with surprizing coolness, riding from rank to rank to encourage those who remained steady, and to rally some part of his fugitive troops. While his attention was wholly employed by this business, the engagement became more close, the French seemed every where to gain ground, and Henry himself was on the point of falling a victim to one of those chances of war which make no distinction between the monarch

and the private soldier; the brave or the runaway. William de Crispin, a Norman nobleman in the interest of Robert, had, with unparalleled bravery, cut his way to the very spot where Henry was in person, busied in the manner already related, and altogether regardless of his own safety. Crispin seeing him thus alone, and unsupported, thought this a favourable opportunity to gain immortal glory to himself, and crown the cause of his master with success, by the death of the king of England: accordingly riding up to him on a full gallop, he discharged two such furious blows on the king's head, that, had not his helmet been of excellent temper, one of them alone must have finished his life and reign; as it was, Henry remained stunned with the violence of the stroke, and the blood poured forth from his mouth and ears in a stream: but recovering himself suddenly, he, with astonishing resolution and coolness, watched the third stroke that Crispin levelled at him (who now thought himself secure of his conquest, and was therefore less upon his guard) and aimed so well-judged and fortunate a blow at his adversary, that he brought him headlong from his horse, and a body of the royal army coming up just at that instant, he delivered Crispin over to them as his prisoner.

But while Henry gained this small advantage by his personal bravery, the fortune of the day seemed to declare against him, and his Norman troops were all on the point of yielding or being cut in pieces, when the English, of which the third line consisted, and who appear born to decide the fate of battles by a steady bravery peculiar to themselves, hearing of the danger their sovereign was in, fell like demons upon those who stood in their way, and, cutting down all before them, pressed on to the support of the main body. The French, who thought the day their own, stood thunderstruck at finding themselves thus assaulted, and that while they were reaching out their hands for the palm of victory, they had a new battle to fight: a general panic seized upon them; the swords dropt from their hands; unable to stand the more than mortal efforts of these new assailants, they fell into a general rout, the fortune of the day was changed, and the French fled with such precipitation, that it was impossible to rally them; Lewis himself being carried along by the runaways, unhorsed in the press, and forced to trust himself to an unknown peasant, who conducted him from the scene of uproar and confusion, through woods and bye-ways, till he brought him in safety to Andeli.

Such was the fate of this battle, which was fought in the plain of Brenneville, near the castle of Noyon sur Andelle, and which had it gone against Henry, must have dispossessed him of all Normandy. A great many prisoners were taken by the English in the pursuit, among whom were many noblemen. Among other spoils of the day was the French king's standard, which Henry redeemed for twenty marks from one of his own knights, who had taken it from the ensign at the hazard of his life. This glorious trophy Henry took along with him to Rouen, which he entered with great triumph.

All historians allow that the Norman prince William behaved with great gallantry throughout the whole of this action, and scruple not to declare that had his valiant efforts been properly seconded,

* See the preceding page.

the French would certainly have obtained a complete victory.

Be that as it might, the loss of this battle proved very fatal to that young prince and his affairs, and did not a little mortify the pride of the French king, who having rendezvoused the remains of his fugitive army at Andeli, and being strengthened by considerable reinforcements, thought himself strong enough to hazard a second battle; and accordingly sent a herald to defy Henry to another engagement, who very prudently declined accepting the challenge at that time: however, to give a proof of his generosity, he dismissed all the prisoners he had taken, except about two hundred and forty knights; and the prince-royal of England sent back the young prince of Normandy's horse, which had been taken in the field, and was superbly caparisoned, with high compliments and expressions of regard for his bravery, attended by a noble present. Some time after the two kings came to a second engagement, the success whereof was doubtful, each side giving out they had the better. In a word, this war proved a very warm one, and found the two monarchs full employment.

Whilst acts of hostility were thus carried on by both sides with equal vigour, Lewis endeavoured to take the advantage of the stay pope Calixtus II. then made in France, to embroil Henry in new troubles. He was in hopes that the pope, who was of the house of Burgundy, would be easily induced to favour his designs. With this view, though without letting him know his intentions, he prevailed upon him to convene a council at Rheims, whereto all the western bishops were summoned, to consult upon restoring the peace of the church and the quiet of Christendom. Henry, mistrusting nothing, permitted the English bishops to be present without any scruple, only ordering them to take heed that they brought not back into his kingdom any innovations in behalf of the court of Rome. The council consisted chiefly of French bishops, some of whom having been properly prepared by their monarch, who himself appeared in this assembly at the head of his most considerable barons, exhibited a long and bitter charge against Henry, whom they represented as a disturber of the public peace, by taking up arms against the king of France, though he was his vassal, and seizing upon Normandy, which held of the French crown; and that he had injuriously and unnaturally dispossessed and imprisoned his elder brother Robert, the undoubted heir not only of that duchy, but of the crown of England, in right of primogeniture; and concluded with a proposal to excommunicate him: which would have been approved of by the majority, had not the pope, who was unwilling to break with Henry, shifted it off by taking upon himself the exhorting that monarch to do justice to his brother.

Upon this the council broke up, without coming to any resolution; and Calixtus, soon after going to Gisors, had an interview with Henry, wherein he affected to plead the cause of duke Robert with great earnestness, concluding, that it was the re-

quest of the whole assembly, that he would set his brother at liberty, and put him and his son again in possession of their hereditary dominions. Henry, who knew the pope too well to believe he would pretend to insist upon such terms, listened to what he said with great shew of respect, and replied, "that he had not taken Normandy from his brother, but had only rescued the subjects of that duchy from the oppressive government of a set of rapacious and dissolute persons, who had gained an entire ascendant over Robert, who lavished away all the treasures of his ancestors upon them, and permitted them to lord it without controul over himself and people: that the step he had taken had not been of his own advisement, nor out of disregard to his brother, or an unnatural thirst after his inheritance, but purely in consequence of the repeated prayers and solicitations of the nobles, clergy, and common people of Normandy, who, fearing the total abolition of their ancient privileges both in church and state, had besought him by a solemn deputation to take them under his protection." These specious excuses, backed with a handsome present, brought the pontiff entirely over to his side; and, on his return, summoning together the council again, he declared himself fully satisfied with the reasons that Henry had alleged in defence of his conduct, and dissolved the assembly. Having now entirely given up Robert and his party, the pope set himself heartily to work to bring about a peace between Henry and the king of France; which he at length, by his unwearied labours, effected: and in the spring of the following year, 1120, having managed an interview between the two sovereigns at Gisors, all matters were settled in an amicable manner, and Lewis was prevailed upon to give up the cause of duke Robert and his son, and to acknowledge the prince-royal of England as duke of Normandy, on this latter doing homage to him as his lord-paramount, which being complied with, he received the proper investitures.

Henry having now completed the pacification of Normandy, was impatient to return to England, from whence he had been so long absent: but he was willing to return in a triumphant manner, and accordingly ordered a noble fleet to rendezvouse at Barfleur, there to take him and the prince-royal (now duke of Normandy) on board; but that young prince, whom all historians have represented as stained with the most debauched and dissolute manners, thinking that he could not give a full scope to his riotous and vicious pleasures, if he embarked under the very eye of his father, prevailed upon Henry, under some specious pretence, to suffer him to go on board another vessel, which was to follow the grand fleet in a few days. In this vessel he had taken care to embark most of his loose companions, to render his passage more agreeable.

The king himself set sail, with all his retinue, the twenty-fifth of November, in the evening, from Barfleur, and landed safely in England the next day, where he waited in full expectation of his son's speedy arrival; but Heaven had otherwise ordained, whether as a punishment upon the prince for his horrible crimes*, or in order to deliver the English

* Some authors represent this as a just judgment upon the prince and his followers, for being contaminated, among other vices, with one of the most unnatural kind, and which had first been introduced by the late crusaders. The master of the ship

on board of which the prince embarked, was Thomas Fitzstephens, the same person who had carried William the Conqueror over to England, in his expedition against Harold. As he was swimming for his life, after the parting of the ship, he saw

English from the future yoke of a tyrant in embryo, who, on all occasions, had professed the highest contempt and hatred for this nation, making no scruple to declare, that, if ever he came to the crown, he would make the English draw the plough like oxen.

As William did not set sail till the day after his father, he had spent all the time that he had remained on shore in rioting and drunkenness; and the master and crew of his vessel having copied his example, there was hardly a person on board in a condition to manage the ship. They were no sooner got out to sea, than the duke, not thinking the vessel made way enough, ordered the pilot to set more sail: his orders were complied with. It blew a fresh gale, and the pilot and mariners, being intoxicated with liquor, mistook their course, and ran the ship upon a sunken rock with such force, that she almost instantly split asunder. The greatness of the danger putting every one upon providing for their own safety, they took to the boats, and the prince among the rest, who by this means seemed out of danger; but hearing the cries of Matilda, his natural sister, who, less able than the rest to take care of herself, had been left unnoticed in the general confusion, he ordered those in his boat to row back and take her in; but no sooner did they approach the ship's side, than some who had been left behind, regardless of every other consideration than that of escaping present death, jumped in such numbers into the boat that it sunk with the over-load, without any possibility of saving the prince: in fine, every soul that had embarked on board perished, to the number of one hundred and forty, most of them young noblemen, besides fifty mariners, none escaping but a butcher. Among those of the greatest quality that perished in this shipwreck besides the prince, were one of his natural brothers called Richard, his natural sister Matilda, who was countess of Perche, the lady Lucia the king's niece, and the earl of Chester.

When Henry, after vainly expecting for three whole days the arrival of his son, received the news of his melancholy fate, it so affected him that he fell down in a fit, yet presently recovering himself, he endeavoured to conceal his grief; but we are told that this unexpected stroke had such an effect upon him, that he was never after seen to laugh. Some advantage, however, accrued to Henry from this accident, melancholy as it was; for the persons, honours, and estates of most of the deceased noblemen were now in his power, by which means he strengthened his interest in England, by marrying their widows, daughters, and sisters to several of his Norman officers and fellow-adventurers, whom he thus rewarded for their long and painful services in the war he had lately finished with so much glory to himself.

The loss of his son, however, and in him of an heir to his dominions, made Henry determine upon a second marriage, in hopes of supplying the deficiency of male issue, and leaving a successor to continue his name and family upon the English throne. With this view, he, in the year 1121, calls a great council of the chief nobles, both spiritual and temporal, at London, wherein he proposed a match with the lady Adelisa, daughter of the duke of Louvain, who, from her youth and

amiable accomplishments, seemed the most likely to answer his purpose by rendering the marriage-bed fruitful. This match was unanimously approved of by the assembly; and ambassadors being sent to demand her of her father, she soon after came over to England, and the royal nuptials were celebrated (such expedition was used) in February of the same year, at Windsor; and the day following the marriage, the new queen was crowned by Ralph, archbishop of Canterbury, whose great insolence on this occasion is taken notice of by most historians, and is a striking example of the amazing height to which the clergy in those days carried their power over the minds of those whom enthusiasm, and a mistaken reverence for every thing sacerdotal, had subjected to their arbitrary sway. As the archbishop was preparing to place the crown on the queen's head, he observed the king already crowned, and seated upon his throne; upon which, stopping short in the midst of the ceremony, he demanded, in an imperious manner, who had dared to place the crown on his head? "That did I myself (replied the king with some warmth), is there aught amiss in it?" The prelate, however, not in the least abashed, told him, that it was his office to have put it on, and that he could not, without being wanting to his own character and dignity, proceed in the ceremony while it remained there. Henry, though vexed to his soul at this ill-timed and insolent particularity, had nevertheless the goodness (or, if you please, weakness) to suffer him to unloose the strings that tied it under his chin, and take it from his head; after which, replacing it again, he proceeded in the queen's coronation. The example of their sovereign's submission to this ecclesiastic was so ill digested by many of the nobles present, that they threatened to punish the impudent sacrilege; but Henry interposed in behalf of the priest, whose presumption was not a little increased thereby.

In the course of this year, Henry had some disputes with Griffith prince of North Wales, who, being encouraged by the death of the earl of Chester, one of the unhappy sufferers in the late shipwreck, had invaded that earldom, now without a governor, surprized several forts, and exercised many cruelties. Upon this Henry took the field in person against him, and many skirmishes ensued, in one of which the king was very near being killed by an arrow, and was another time in danger of being cut off by a party of the enemy who had surrounded him as he was reconnoitring a wood, but was saved by the swiftness of his horse. These untoward accidents, and the apprehension of not ending the war in the successful manner he at first flattered himself with hopes of, made him at length clap up a peace with Griffith, who made his submission, gave the king a thousand head of cattle as a temporary tribute, and also hostages for his future peaceable demeanor.

Towards the close of this year Henry made a progress through the North, during which he visited most of the strong places, and ordered Carlisle to be surrounded with new walls fortified with towers, and erected a castle in it, capable of holding out a stout siege. This business over, he returned, about the beginning of the year 1122; which is distin-

saw a number of the crew upon the wreck of the main-mast, upon which he made towards them, and they prepared to give him a place amongst them; when asking what was become of

the prince, and being told that he was drowned, "Then (says he) I'll not survive him," and sunk immediately.

guished by no remarkable event, excepting the death of Ralph, archbishop of Canterbury, who, abating his extreme insolence in all matters where he fancied his prerogative was concerned, was of an unblameable character. His see continued vacant till the beginning of the ensuing year, when Corboil, abbot of St. Bennet's, was elected metropolitan in his room.

The year 1123 produced Henry new uneasinesses in Normandy. He had imagined that by his late treaty with the French king he had removed every obstacle to his quiet possession of that duchy; nevertheless he now found himself under a necessity to go over there, in order to make head against a party which had been formed in favour of William Crito, by Walleran, count of Mellent, or Meuland, lord of Pont Audemer, and supported underhand by king Lewis. The plan had been so well concerted, that every thing was ready for a powerful rising, when the sudden arrival of the king struck the conspirators with amazement and fear, and obliged them to take the field before they were prepared with sufficient forces to carry on the war with any probability of success. Henry in a short space of time made himself master of Pont Audemer, Montfort, and some other places, after which he repaired the old fortifications, and added new ones to the castles of Caen, Rouen, and Arques, whose garrisons he doubled, and took such necessary precautions, that he soon found himself secure from the strongest efforts the rebels could make.

All this time the French king had been very busy in supplying the conspirators with money and troops, though he did not think proper to declare openly for them; but Henry, who was perfectly well acquainted with his proceedings, thought it better to have an open than a concealed enemy, and therefore had, in the beginning of the year 1124, declared war against France. But nothing gave Henry more uneasiness than the behaviour of Fulk, earl of Anjou, who, on some slight pretence of dissatisfaction against the king of England, deserted his party in favour of that of young prince William of Normandy, with whom he now entered into a strict alliance, and gave him his eldest daughter in marriage, together with the strongest assurances of assisting him by force of arms to recover his natural inheritance.

This year was spent in skirmishes on both sides; but no action of any consequence happened till March in the following year, 1125, when, on the twenty-fifth of that month, the army of the conspirators advancing from Belmont to Watteville, in order to force an entrance into William's Norman dominions, William de Fauconville, Henry's general (for the king does not appear to have been then with his army in person), found means to draw the French and Normans into an ambush, in which the counts de Meulant, Evreux, and Montfort, with Hugh Fitzgervas, Almeric the French king's steward, and many Norman barons, besides no less than eighty knights, were all taken prisoners. The count of Evreux afterwards made his escape, by winning over the officer in whose custody

he was, and got safe into France, where he lived for some time, without daring to return to his native country. The taking of the count of Meuland was followed by the surrender of all the strong castles of which he was possessed. The prisoners were all sent into England, where Henry caused them to be punished after different ways, according to the heinousness of their offences. And here it will not be amiss to remark, that this prince seldom forgave any one who had taken up arms against him, although he might, according to times and circumstances, be occasionally obliged to dissemble his resentment.

This success seemed to promise Henry certain means of quelling the rebellion; however, he did not think it proper to quit that country for the present.

In the course of this year cardinal da Crema was sent over by pope Calixtus to England, in quality of legate, in order to reform some abuses that had crept in among the clergy. The legate was received in the most pompous manner, but at the same time he was given to understand from the king, that he must not attempt to make innovations in the kingdom, or do aught against the royal authority or prerogative: this intimation, delivered in the most forcible terms, was accompanied by a mollifying present; and the legate finding that nothing of consequence was to be done under so resolute a prince, after having called a synod at London, in which some canons were enacted relative to the clergy*, he thought proper to take leave and depart.

In summer 1126, Henry returned to England, where he found the nation in general discontent, on account of the heavy taxes that had been imposed upon them for supplying the exigencies of the campaigns in Normandy: add to this, that, from a total inattention to executive justice in those who governed the realm during the king's absence, robberies, thefts, and murders were become so frequent, and perpetrated in so daring and open a manner throughout the kingdom, that no one's life or property could be called secure. Henry, therefore, made it his first business to reform these abuses, and enacted several severe laws against all disturbers of the public peace; at the same time he executed no less than forty-four criminals, who were fully convicted, and punished others with the loss of limbs and members. He also gave orders for prosecuting all coiners and debasers of money, that pernicious practice having been carried to such an excess, that a nominal pound would not go for twelve pence real value.

In this year died Alexander I. surnamed the Fierce, king of Scotland, and was succeeded on the throne by his brother David, earl of Huntingdon, who, besides the crown of Scotland, was possessed of several considerable estates in England. Much about the same time death also took out of the world the emperor, Henry's son-in-law, leaving his consort Maud a fair young widow, and the greatest fortune in Europe; who, after performing the last rites to her dead lord's remains, came over to her father in England.

* The most remarkable canon was levelled against the married-clergy, and was introduced by the legate with a great profusion of invective and reproach. Among other things, he asserted, "that it was a sin of the most heinous kind, for a man to consecrate the eucharist when he had just arose from the bed of a strumpet;" for such he deemed the wives of the

clergy. But, unfortunately for the character of this zealot, he was caught in bed with a woman of the town, the very next night after he had consecrated the eucharist in the morning, and was obliged to steal away privately on the morrow, in order to avoid the shame of so infamous an action.

Henry had now been married six years to his second queen without Heaven having blessed his marriage-bed with any fruits, so that, despairing of having a male successor of his own issue, he determined at least to secure the crown in his own family, by getting his daughter Maud acknowledged his heir, in which he was sensible he should meet with no opposition from the English, who looked upon this princess with an eye of affection, as being descended by the mother's side from the ancient Cerdic family. He was, however, under some apprehensions concerning Robert, the deposed duke of Normandy, whose interest with the Norman nobility he knew to be still very considerable, notwithstanding that his confinement prevented him from raising any disturbances at present. With the advice, therefore, of some of his trusty counsellors, he ordered that unhappy prince to be more closely imprisoned, and gave the charge of him to Robert, his natural son, who kept him some time in the castle of Bristol, after which he was moved to that of Cardiff, in Wales, where he died of a broken heart.

Having thus taken all those precautions which human wisdom so frequently thinks infallible, and Heaven is as frequently pleased to render ineffectual, to teach vain man the salutary lesson of depending on the Author and Giver of all success, Henry's next step was to call together a great assembly of the states at Windsor, in the beginning of the year 1127, at which were present, among other great barons and persons of distinction, Stephen, earl of Boulogne, nephew to the king, and David, king of Scots, who had repaired to England to pay his homage to Henry in person for the lands he held here. At this council the important affair of the succession was debated with great solemnity; and a proposal was made in the king's name, or by himself in person, that all present should take an oath to receive the empress Maud as queen of England, in case Henry should decease without issue male. This proposal was readily assented to by the members of the assembly; David and Stephen set the example by first taking the eventual oath of allegiance to Maud, which was afterwards done by the spiritual states, and then by the temporal.

If Henry was well pleased with these transactions, and the little opposition he met with in carrying his favourite point, his subjects, both Norman and English, were not less disgusted at the step he took soon after; for having received advice that the king of France had put William, son of duke Robert, in possession of the county of Flanders, on the death of Charles the Good, and fearing that this accession of strength might make the young prince formidable to him in Normandy, he resolved to strengthen his own interest by an alliance with Geoffrey Plantagenet*, son of Fulk, earl of Anjou, who, by the proximity of his territories to those of the king in Normandy, would be always ready to assist in case that duchy should be attacked. Accordingly the young lady was sent over, soon after Whitsuntide, 1127, under the care of Robert, earl of Gloucester, one of the king's natural sons, and was betrothed to the earl of Anjou's son by the archbishop of Rouen; and the August following the nuptials were celebrated, Henry going over to assist at the ceremony in person.

This match proved highly dissatisfactory to the great barons of both nations; in the first place, as the king had concluded it without asking their advice or assent, and purely at the instigation of the earl of Gloucester, and Briant, son of the earl of Richmond; and moreover, as they foresaw that this connection would always keep them embroiled on the continent. In a word, the public discontent ran so high on this occasion, especially among the English, who thought themselves particularly slighted, that it was easy to foresee they would pay little regard to their late oath in case of Henry's death. The king, however, perfectly satisfied with what he had done, gave, or seemed to give, no heed to the public murmurs.

The ensuing year, 1128, in order to prevent the designs of his enemy, Lewis of France, who now openly declared his intentions of putting William Crito in possession of the dukedom of his deposed father, he invaded the French king's territories with a strong army: but, previous to this step, he found means to stir up the Flemings to a revolt against William their new earl, who had rendered himself disagreeable to them by his too great pride and parsimony. On this occasion they sided with Thierry, or Theodoric, earl of Eu, or Alsace, who pretended a title to the earldom of Flanders. Him Henry powerfully supported, and with such success that the earl quickly made himself master of Alost and several other considerable towns, and daily increased his party. This juncture Henry chose as the most proper for entering France as before-mentioned; and advancing as far as Espargne, he offered Lewis battle for eight days successively; but that prince, sensible how much inferior his army was to that of the king of England, was contented with putting himself in a proper posture of defence, so as not to be forced to fight on unequal terms.

During this situation of the two armies, prince William exerted all his efforts to recover Alost out of the hands of Thierry; and a battle ensued between them, in which the earl of Alsace was defeated, and the prince of Normandy would certainly have taken the town, and his rival prisoner, had he not been mortally wounded by the thrust of a lance in a sally from the besieged, which turning to a mortification, carried him off in a few days†.

This unhappy accident, together with the great superiority of the English army in France, obliged Lewis to abandon his projects, and conclude a peace with Henry, who now found himself the undisputed possessor, in point of blood, to the duchy of Normandy, Robert his brother leaving no other legitimate issue. Nevertheless, Henry very prudently determined to remain some time longer in Normandy, in order to settle every thing upon a quiet footing, and it was not till the autumn of 1129 that he returned to England.

Having thus surmounted all opposition, he began now to taste the sweets of ease and tranquility; and during this calm he suffered the milder sentiments of mercy and forgiveness to succeed those of fury and resentment, that had so long occupied his breast. He extended his pardon to all those who implored it, and attached several persons of influence and credit to his interest, by acts of

* So named from a sprig of broom (*genet*, in French), which he always wore in his cap.

† He died on the twenty-seventh of July, 1128.

generosity and kindness; he released many of the late conspirators, and among the rest Mellent and Fitzgervas, whom he restored to their Norman estates: in a word, Henry now became in great reputation both at home and abroad, and his situation with his neighbours was such as promised his hitherto clouded life a serene close.

It was at this period that Henry altered the revenue of his demesne lands, the rents of which had been hitherto paid in kind. The tenants were so impoverished with taxes and other hardships, from the nature of their tenure, that they totally abandoned the business of agriculture, and hung up their plough-shares in the highways as useless implements. This, and a great scarcity which ensued in consequence of the general neglect of tillage, induced Henry to appoint commissioners to examine the estates, and fix a certain sum of money to be paid yearly, in lieu of the corn, provision, and service which had been usually exacted. This composition was very advantageous to the tenant, the rates of provision being at that time very low, so that the burthen of the rent diminished as the specie increased*.

In the year 1130, after having kept his Easter at Woodstock, Henry went over to Normandy, in order to have an interview with pope Innocent II. at Chartres, in whose favour he and the king of France declared, against his rival Anacletus. He took this opportunity of paying a visit to his daughter Maud, whom he found upon very bad terms with her husband Geoffrey Plantagenet. This lady had ever been averse to the match from the first time it had been proposed to her by her father; her high spirit not being able to brook the debasing herself, who was the widow of an emperor, so low as to marry a simple count; and Henry had been obliged to use some violence to bring her to a compliance. Her behaviour after marriage exactly suited with her sentiments prior to it: she carried herself, on all occasions, with insupportable haughtiness to her husband, and their hours were spent in mutual reproaches, that embittered the marriage-state to such a degree that a separation was at length agreed upon, and Henry returning to England the next year, brought his daughter over with him.

Upon his arrival he called a general assembly at Northampton, in which he got the estates to renew the oath of allegiance to the empress, having by this time clearly perceived the distaste the English had conceived against her second marriage. This council, which sat in the Easter holidays, 1131, was hardly dismissed when the earl of Anjou sent for his wife back again, and received her with all possible demonstrations of a sincere affection; which has given some writers occasion to hint (and not without an appearance of probability) that the separation was nothing more than a political contrivance between the three parties, to engage the English states more readily to concur in renewing their oath of fealty.

The year 1132 was remarkable for the burning great part of London; an accident to which this city seemed particularly subject, in those early times, from the structure of its houses, which were mostly of wood, and the narrowness of its streets and passages.

* See Dialog. Excheq. which also says, in the same place, that a measure of wheat, sufficient to serve an hundred men with bread, was valued at a shilling; a fat ox, five shillings;

This year Henry made a progress to the North, in order, by his presence, to establish the authority of the feudal tenure in favour of the earls and great men, to whose authority the common people were loth to pay a proper respect. During his stay in these parts, he founded an episcopal see at Carlisle, which he had already distinguished by several acts of royal munificence.

The next year, which was 1133, to the unspeakable joy of the king, his daughter, the empress Maud, was delivered of a son at le Mans, who was born about Easter. He was christened by the name of Henry, in respect to his grand-father, and was afterwards king of England. On this occasion a council was summoned at Oxford, where the states again swore fealty to the empress, and eventually to this son as her successor. This important point settled, Henry, about the end of summer, sailed for Normandy, which seems to have been his darling place of residence, and bid farewell, for the last time, to England, which, however, he left in perfect tranquility.

Early in 1134 died that unfortunate prince, Robert duke of Normandy, in his confinement in the castle of Cardiff, after having sustained the most inhuman treatment that brother could offer to brother; and, indeed, the insulting manner in which Henry had behaved to him through the whole course of twenty-seven years confinement, has given but too much reason for several historians, who were no favourers of the king of England, to insinuate that he procured the death of his rival and prisoner, by the most inhuman of all murders, as we have already mentioned in our note to page 213.

However this might be, it is beyond contradiction that Henry's heart was too much filled with ambition and the thirst of undisputed sway, to admit even the smallest portion of brotherly love and pity; and even if we should acquit him of the immediate assassination, the barbarity of his usage will be found little less than murder itself. The remains of this unhappy prince were interred in the choir of the cathedral church of Gloucester, where a wooden monument erected to his memory is still (or was very lately) to be seen.

During the king's stay in Normandy, some dispute arose between him and his son-in-law, Geoffrey Plantagenet, which kept him longer there than he had at first intended; and in the year 1135, he received advices from England, acquainting him that the Welsh had made incursions upon Cardiganshire, where they had committed great ravages, and even defeated a body of forces sent against them. Upon this Henry resolved to pass over into England, to the relief of his subjects there, but was prevented by his son-in-law, who would not admit of his drawing forces out of Normandy. At length he resolved to go alone, and put himself at the head of his English army; when, coming to the castle of Lyons, near Rouen, he, after a fatiguing day's hunting, eat so plentifully of lampreys at his supper, that he caught a surfeit, which proved his end.

When he found his dissolution drawing near, he sent for the earl of Gloucester, his natural son, to whom he recommended, in the most pathetic manner, the interests of the empress his sister, but made

a wedder or sheep, four pence; and a ration for twenty horses, at four pence.

not the least mention of his son-in-law Geoffrey, with whom he was greatly displeased. He then disposed of several legacies in charitable uses, and in particular ordered above sixty thousand pounds sterling to be distributed among his domestics. He also provided for the payment of his own debts, and remitted every thing that was owing to himself. Having thus settled his temporal concerns, he resigned himself up to the care of the clergy to prepare him for his final transit, which happened at St. Denis le Forment, on Sunday the first of December *, in the sixty-eighth year of his age, and and the thirty-sixth of his reign.

His body was carried, next day, to Rouen, attended by a prodigious throng of people, and being embalmed after the coarse manner of those days (by cutting deep gashes with a knife in the flesh, and filling the incisions with salt), was conveyed to Caen, and from thence transported to England, where it was buried at Reading, within a monastery of his own founding †.

This prince exhibited in his character a striking example of that inconsistency which must ever be the portion of frail humanity; and though he had many amiable qualifications both of mind and person, yet they were sullied with a number of faults, among which cruelty, avarice, and an inordinate love for women, were the most predominant. The first appeared conspicuous in the inhuman treatment of his brother; the groans of an oppressed and fleeced people declared the second; and his numerous illegitimate issue, by different mistresses, were a long time living monuments of the latter. The manner in which he obtained the crown has been the subject of such a diversity of opinions, that I shall not take up the reader's time with entering upon the discussion of that point. The surname of Beauclerc, which was given him on account of his learning, is far from being sufficient to establish his character as a man of letters; because, in those days, few or none, and princes least of all, gave themselves any concern about books, which were left wholly to the ecclesiastics, and therefore if at any time a layman arose, who was but indifferently versed in the reading of those times, he was looked upon as a prodigy of literature. His person has been generally represented as handsome and stately; his manners, in private life, as affable and facetious. We shall now give an account of this prince's issue, as well natural as legitimate, as both will be often mentioned in the course of this history.

His legitimate children were,

1. One son named William, the manner of whose death we have already related.

2. One daughter, generally known by the name of Maud the Empress, on account of her first marriage. Her second husband was Geoffrey Plantagenet, earl of Anjou, by whom she had Henry, afterwards Henry II. king of England; and two other sons, Geoffrey and William, that died without issue.

The natural children of Henry were,

1. Robert, whom he created earl of Gloucester in the ninth year of his reign, by Nesta, daughter of Rees ap Tudor, prince of Wales.

2. Richard, by the widow of one Anskell, a baron in Oxfordshire. He was drowned with his half-brother prince William.

3. Reynauld, created earl of Cornwall in the fifth of king Stephen, by Sibylla, daughter of sir Robert Cabot, of Alcester, in Gloucestershire.

4. Robert, by Editha, daughter of an English nobleman.

5. Gilbert.

6. Henry, by Nesta aforesaid.

7. William de Tracy, so named from a town in Normandy; he died soon after his father.

8. Matilda, countess of Perche, who perished with her brother William in his fatal shipwreck.

9. Another Matilda, married to Conan, earl of Brittany.

10. Julian, married to Eustace de Paiz, natural son of William de Breteuil, eldest son and heir of William, and elder brother of Roger, earl of Hereford, in England.

11. Another daughter, married to Matthew, son of Borchard de Montmorency, from whom are descended the ancient family of that name.

12. Elizabeth, by Elizabeth, sister of Waleran, earl of Meulant or Mellent, married to Alexander I. king of Scots.

The most remarkable occurrences of this king's reign are thus handed down to us by different historians.

In the second year of his reign, being likewise the second of the century, Gloucester and Winchester were burnt. In his fourth, a comet appeared; and four circles were seen about the sun. In his seventh, another comet was seen; and on Thursday night before, two full moons appeared, one in the east and another in the west. In his tenth, a third comet was seen, and an earthquake happened in Shropshire. Sir John Hayward's Hist. of Henry I.

In his eleventh year, the river Trent, near Northampton, ceased to run its course for four-and-twenty hours, and so long the channel was dried up. Hollingshed. There was, this year, a great mortality of men, a murrain among cattle, both domestic and of the field; the fowls also perished in abundance. In his thirteenth year, Worcester city, the church, castle, and many citizens were burnt; and the water of the river Medway failed so much, for many miles, in the midst of the channel, that the smallest boats could not float; and the Thames was so low, between the Tower and the Bridge, that many men, women, and children waded it over on foot, which was occasioned, says our author, sir John Hayward, by reason of a great ebb in the ocean, that laid the sands bare several miles from the shore, which continued so a whole day. The city and chief monastery of Chichester was burnt to the ground: and there were violent tempests, with a comet; Hollingshed adds, that the comet appeared in a strange manner, it rose in the east, and when it was advanced near the mid-heavens, it kept not its course forward, but seemed to go backward, as if it had been retrograde. Most of these accidents he places under the next year; during which almost all the bridges in England, being then built with timber, were broken down by the

* Rapin says the second of September, which (unless an error of the press) is contrary to the authority of a cloud of the most authentic historians, both English and others.

† The monks of which, in gratitude to his memory, erect-

ed to him a noble monument, which was defaced at the suppression of abbeys, and his bones thrown out, to make room for a stable for horses.

ice, when it thawed after a severe frost. In Henry's sixteenth year, on the first of November, there fell a prodigious storm of hail, accompanied with unusual claps of thunder and flashes of lightning: in December a great earthquake happened, and the colour of the moon appeared like that of blood. Hollingshed.

In his seventeenth, the cities of Bath and Peterborough were burnt. In his twentieth year, there was an earthquake, in September. In his twenty-second, the city of Gloucester was burnt; and Lincoln the year following. Matthew Paris gives us the following history of founding the order of the knights templars of Jerusalem under this year (1122.) "About this time (says he) several noble knights formed themselves into a society, obliging themselves to celibacy, and to live after the manner of the regular canons. The founders of this order were Hugo de Pagan and Godfrey of Eadmer, who were so poor that they had but one buckler and one horse between them; in commemoration of which, the seal of the order has two knights mounted on one horse. As they had no dwelling-place, Baldwin, king of Jerusalem, assigned them an apartment in his own palace for their residence, and the canons of the Temple granted them an area near the palace to erect their offices. The king himself, as

well as the clergy, granted them a daily allowance for their table and cloathing. The knights at first undertook to clear the roads towards Jerusalem from the banditti and robbers, with which they were infested; and in a short time the order was so respectable, that it spread all over Europe, and was embraced by persons of the most distinguished birth and abilities." In his twenty-third year Henry built or repaired the palace of Woodstock, and adorned it with a park, the first that ever was in England. In his thirtieth year, Rochester was almost destroyed by fire: and London in his thirty-second. In the year before he died, being the thirty-fourth of his reign, on the second of August, just as he was about to take shipping for Normandy, an eclipse of the sun and moon appeared; at which time William of Malmesbury, who was then living, writes that he saw the stars plainly about the sun. This eclipse was followed by a most horrible earthquake, in which the same author relates, the house wherein he sat was lifted up with a double remove, and at the third time settled again in its proper place. Hollingshed tells us it was the house in which the king sat, and adds, that flames of fire burst out of clefts of the earth, and continued to burn for some time with unremitting violence.

S T E P H E N. A.D. 1135.

THE vanity of human foresight was never so powerfully exemplified as in the case of Henry I. than whom no prince ever possessed a greater share of worldly wisdom, nor was it in the power of mortal prudence to have taken more effectual precautions for securing the succession in his family than he did; and yet Heaven was pleased to render those precautions of no effect, and even to make some of the measures which he most depended upon for success, to contribute to the frustrating of his intentions; probably as a righteous punishment for the many acts of injustice, violence, and oppression which himself and family had repeatedly exercised over this unhappy land.

Among those that had shared the late king's favours, Stephen, earl of Boulogne, had been the most particularly distinguished by him. He was the third son of the earl of Blois, by Adela, daughter of William I. Not contented with bestowing upon him the rich manor of Eye, in Suffolk, together with many other signal marks of affection and esteem, as also the immense estate of Robert Mallet, Henry had moreover effected a match for him with Matilda, or Maud, daughter and sole heiress of Eustace, earl of Boulogne, by Mary of Scotland, sister to his first queen. It must be confessed that Stephen had many great qualities, which entitled him to the regard of so discerning a prince as was Henry I.

At the time of this monarch's decease, Stephen was in France; but his long residence in England, and the intimate degree of confidence with which his uncle indulged him, had given him the fairest opportunity of becoming a perfect master of the state of affairs in this kingdom, a knowledge of which he made the most advantageous use for his

own interest, though in a manner that, perhaps, did no great honour to his rectitude of heart; and, indeed, dissimulation seems to have made a very principal part of Stephen's character, of which he gave a flaming instance at the first assembly of the states convened by Henry to swear fealty to his daughter, the empress Maud, when the earl of Boulogne was so forward to fall in with the king's views, that he even entered into a dispute with David, king of the Scots, which of them should first be sworn.

As the period we are now entering upon is filled with civil bustle and contention, it may not be amiss to make the reader acquainted with some of the principal characters that made a figure on the theatre of politics, and were chiefly concerned in bringing about the several catastrophes of this active reign.

Stephen, as I have already observed, was the third son of the earl of Blois. His eldest brother laboured under some natural defects, which excluded him from the succession, which therefore came to the second brother, who claimed the duchy of Normandy in right of his mother, as will be shewn in the course of this history. Henry, the youngest brother, had been bred in the monastery of Augny, and Henry I. who thought he could not do too much for his own nephews, had made him abbot of Glastonbury and bishop of Winchester. He was of an active and turbulent disposition, bold of speech, dissembling and faithless in his manners, and so ready to adapt himself to the particular circumstances of the times, that he seemed formed by nature for a statesman. By a pleasing volubility of tongue he had gained the esteem and admiration of the ignorant populace, with whom he

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History of ENGLAND.



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K. STEPHEN.

he passed for a man of great abilities and good-nature; and his frank and familiar address gave him such interest with the clergy, that he had nearly the same influence over them that his brother had over the laity.

William, the then archbishop of Canterbury, possessed more learning than knowledge of the world. He was a zealous son of the church of Rome, whose decisions he regarded as sacred oracles, and was always ready to enforce the observance of them with all the violence of enthusiasm. His ignorance of the intrigues of state made him very liable to be imposed upon by cunning or designing persons, or to be led away by his own narrow notions.

Roger, bishop of Salisbury, was the wealthiest subject in England, having had the most favourable opportunities of amassing riches during the late reign, when the management of affairs, both in church and state, was intrusted to him, while the king was absent on his Norman expeditions. He was raised from the rank of a parish-priest to the see of Salisbury in a manner that had something singular in it: whilst he was only curate of a little parish in Normandy, Henry, who had then no prospect of one day mounting the throne, happened to go into the church where he was saying mass, and was so taken with the devout and solemn manner wherewith the priest performed the service, that he desired to have him for his chaplain; Roger did not want much intreaty to accept an honour he so little expected. As soon as Henry came to the crown, his first care was to prefer his chaplain by promoting him to the see of Salisbury; but, not stopping there, he committed to him afterwards the management of all important affairs in church and state, during his absence in his successive expeditions to Normandy; and at length made him his prime minister. This high post furnished the prelate with an opportunity of heaping up immense riches, which he laid out in building stately palaces, and keeping a noble house and magnificent equipage, which gained him the hearts of the common people; and, though a foreigner by birth, he seems to have had at heart the interests and liberties of the English nation. Thus much for those great men in the church and state, who were on the side of Stephen: let us now consider the heads of another party.

The empress Maud was of an undaunted spirit and haughty disposition, inspired into her by her high birth and alliance. She possessed her father's Norman dominions; she was married to a foreign prince, a stranger to the constitution of this country; her near relation to the Scottish king, who was always ready to assist her in all her ambitious projects; all these circumstances rendered her so excessively proud, that the English could have no prospect under her government but a continuance of the oppression and contempt which they had met with during the last three reigns.

Her half-brother and faithful defender and protector, Robert, earl of Gloucester, natural son of Henry I. was the most eminent of all the great men who then flourished in England, whether we view him in the cabinet or the field: his unspotted integrity, his success in arms, his firm attachment to the welfare of the nation, his learning, his

humanity, and a thousand other excellent qualities, had justly endeared him to the more sensible part of the people, and made his friendship of great importance to either party. The generosity of his heart would not permit him to hesitate an instant which side to take, and though he was warmly devoted to his country, yet the confidence reposed in him by his father in his last moments had inspired him with an attachment to his sister Maud, that prevented him, notwithstanding the integrity of his intentions, from perceiving how little qualified she was to rule over a people naturally fond of liberty, and from closing with that party which was most likely to preserve the independency of England.

The late Henry, from his long absence in Normandy, seems not to have properly understood the character of his English subjects. His dependence upon the many oaths he had exacted from them, and which are seldom found to bind, in political cases, against principle and interest, had made both him and the empress too secure to take other precautions; and Stephen had a great advantage, by having on his side three prelates, whose interest secured him the suffrages of all the clergy. Whether the earl had entertained any designs upon the crown during the life of his uncle and benefactor, does not clearly appear; but it is certain, that the breath was hardly out of Henry's body, when he privately posted from Whitland, a town in Picardy, where he then was, and going on board a small vessel, landed at Dover; but none of the burghers would entertain him in their houses, nor did he meet with a better reception at Canterbury; for the citizens, apprized of his coming, and judging the design of so sudden a visit, shut their gates against him, and positively refused to admit him into their city. Not discouraged by these disappointments, he continued his way to London, where his brother, the bishop of Winchester, and other noblemen of his party, had so well prepared matters against his arrival, that he was received with open arms by the citizens; and a great council of the state being immediately convened, the friends to Stephen exerted all their rhetoric to represent the misfortunes which might arise from the accession of the empress Maud, in the most aggravating terms. The archbishop of Canterbury, who had been gained over by the bishop of Winchester, Stephen's brother, affirmed that the oath in which the states had bound themselves to Maud, was null and void, as being directly contrary to the custom of the English, who had never as yet permitted a woman to reign over them. The bishop of Salisbury maintained, that they were discharged from their oath, because Matilda was carried out of the realm without the consent of the barons, whose intent was, when they first swore fealty, to have no other king than one of the race of William I. In fine, entirely to remove all scruples, Hugh Bigod, who was an officer of great trust under the late king, and strongly in the interest of Stephen, came before the assembly, and voluntarily made oath that Henry, on his death-bed, had declared his intentions of setting aside the empress Maud and her children. On these,

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and divers other considerations*, which will, to different readers, appear in a different light, according to their political principles, and which are neither to be wholly vindicated nor condemned, it was resolved to set aside Maud from the succession, and Stephen was declared king of England, a day being appointed for solemnizing his coronation. He, on this occasion, failed not to throw out a profusion of promises, not only of advancing the particular interests of those who had the most warmly espoused his cause, but to rule over the people of England like an indulgent parent over his beloved children: promises which had been made familiar to the ears of the people by their frequent repetition, and the performance of which they had as often vainly expected. But Stephen did not rely on soothing speeches only for success, he had gone a more sure way to work; his first care, after his arrival, having been to take possession of the late king's treasure, amounting to an hundred thousand pounds (equal to about a million of the present money), besides a large quantity of plate and jewels: by a proper distribution of this sum he drew over to his side many of the necessitous nobility, and made fast friends of the still more necessitous soldiery.

The day fixed for his coronation being come, William, the archbishop of Canterbury, whose right and office it was to perform the ceremony, being a conscientious primate, scrupled to set the crown on Stephen's head, as being a downright violation of the oath he had taken to the empress. However, Roger, bishop of Salisbury, and some others of the clergy, with great difficulty, removed these scruples, and the good man at length consenting, Stephen was solemnly crowned on Sunday the twenty-second of December; but the appearance of nobility was smaller than ever had been known upon the like occasion.

Stephen began his reign like others of his predecessors most distinguished for their policy, by conciliating the affections of his new subjects, and which in his case, indeed, was peculiarly needful. With this view he began with the clergy and commons of England, to whom he principally owed his elevation. The former of these had long complained of the bishoprics being kept vacant by his predecessors for a number of years, in order to fill their coffers with the revenues belonging to them: the new king therefore, to make them easy on this head, added a very extraordinary clause to the usual coronation-oath, namely, "that upon the demise of a bishop he would instantly give the investiture to the successor appointed by a regular canonical election."

Innumerable had been the acts of oppression exercised upon the subjects of all ranks and degrees in relation to the woods and forests, and the right of hunting therein, which were extended even to

private property, inasmuch that no gentleman dared to hunt in his own woods, or to grub up or cut down the smallest tree for his own domestic use, on pain of being proceeded against in the king's court upon information, as a despoiler or waster, in which case he was sure to be loaded with a heavy fine, collected with all the rigour of law. These vexatious prosecutions, which fell chiefly upon the old English gentry, were fully provided against by another article, in which "he swore not to disturb the clergy or laity in the quiet enjoyment and free use of their own woodlands, as had been done by his predecessors; neither would sue any one for hunting even in the royal forests; and that he would restore to the people the several tracts of ground taken in by the late kings for making forests, retaining such only as had been possessed by the two Williams."

To these acceptable concessions he added another, which was still more agreeable to the common people, namely, the abolition of the tax of Danegelt, declaring,

"That the king for ever remitted the said tax, which amounted to two shillings for every hide of land, and which had been annually collected by his predecessors."

He is said to have granted many other articles in favour of the commons of England; but the particulars of them have not come down to us.

While Stephen was thus employed in every act of popularity and affability that appeared most likely to ensure him the hearts and affections of those over whom he had assumed the sovereign rule, the empress and her party, either from a full dependence on the conscientiousness of the English in observing their repeated oath of fealty to her and her issue, or from other causes that have not been accounted for, made not the least efforts towards asserting her claim to the throne; and such of the nobility who favoured her cause, finding it impossible to resist unsupported the torrent of popular prejudice in favour of Stephen, retired into Scotland, where they were hospitably received by king David.

That prince, agreeable to the oath he had taken, resolved to exert himself to the utmost in support of the empress Maud; and with this view he, in the beginning of the ensuing year, 1136, raised a numerous army, with which he proposed to invade the territory of Stephen, whom he regarded only as an usurper. However, thinking it necessary to join artifice to force, he, on pretence of a visit to Carlisle and Newcastle, made himself master of both these places†; and being thus in possession of the two principal northern inlets to the kingdom, he threw off the mask, entered England in an hostile manner, and penetrated as far as Durham, obliging the inhabitants of all the towns that lay in his way to swear allegiance to Maud,

* The members of the council reflected, that the empress was the lawful heir of Henry I. and solemnly acknowledged as such by the whole nation; that she was a woman of a capricious and haughty temper, married to a foreign prince in needy circumstances, and of a character as exceptionable as her own; that she might possibly be induced to resign the reins of government into his hands, in which case England would be in danger of being involved in all the petty disputes and quarrels he might have with other princes on the continent, and see its blood and treasures sacrificed in support of foreign allies. On the other hand, Stephen, though a foreigner by birth, was an Englishman in his heart, and possessed of every virtue that could qualify him for filling the throne of a great and power-

ful kingdom with greater lustre and advantage to his people, than they could expect from the weak head of a woman: but above all, the precedent introduced by Henry himself, and his brother William, in usurping the crown from the immediate heir of blood, made the English nobles conceive they had an undoubted right to provide for their own safety by choosing for sovereign whomsoever they should judge the best qualified for that important station.

† When Stephen received intelligence of this piece of treachery (for we can give it no better name), he, in the most cool and deliberate manner, said, "It is very well; what my cousin David has thus treacherously seized upon, I must as manfully recover." Huntingd.

and give hostages for their faithful performance of the same.

Stephen no sooner heard of these proceedings of the king of Scots than he assembled a body of forces, and marched with all expedition to meet him, and put a check to his progress. Accordingly, by forced marches, he came up with David as he was about to lay siege to the city of Durham, and both armies prepared for a battle the next day; but, during the intervening night, each party began to weigh maturely the chances for and against success: David had already found himself greatly disappointed in his hopes of meeting with a general insurrection in favour of his niece, the empress Maud, and was not unacquainted with the military abilities and personal valour of Stephen. The king of England, on his side, had many strong reasons to wish rather to have David for a friend than an enemy. These dispositions begat proposals of accommodation the next morning, which being hearkened to on both sides, a treaty was at length concluded, on Ash-wednesday, February 5, by which David was allowed to retain Carlisle, and what he possessed in Cumberland, on restoring the places he had lately taken in Northumberland. As these conceded territories belonged to the crown of England, David ought naturally to have done homage for them to Stephen, but he excused himself from that step on account of the oath he had taken to maintain his niece's succession: in order, therefore, to settle this matter on an amicable footing, it was agreed that Henry, the prince-royal of Scotland should do homage for them to the king of England; which being performed, Stephen invested the young prince with the earldom of Huntingdon, and promised not to dispose of Northumberland, till after a solemn hearing of his claim to that county. Stephen was extremely fond of this young prince, who accompanying him to London, got so far into his good graces that in the festival of Easter, which he kept there with great magnificence, he made him sit at his right hand, a mark of distinction which gave great offence to the archbishop of Canterbury, and several of the great nobles who were more ancient in date of creation, and so far resented this undue precedence, that they publicly affronted the young prince, which being known to David, he in great wrath sent for his son from the English court, whither he would never afterwards suffer him to return †.

Just at this time the king being attacked by a slight indisposition, a report prevailed that he was dead, upon which Hugh Bigod seized upon the castle of Norwich, swearing that he would deliver it up to no one but the king in person. This obliged Stephen, on his recovery, to go down to receive it from his hands.

At his return from this journey he was agreeably surprized to find that Robert, earl of Gloucester, either disgusted with the haughty conduct of the empress, or that of her husband, or (which appears more probable) to prevent his estates in England being put under confiscation, was arrived here from Normandy, in order to do homage to Stephen, which he performed accordingly, but with this express proviso, that it should be no longer binding

than the king continued to rule according to the oath he had taken. The earl, knowing the fickleness of Stephen's temper, and how little trust is to be put in the promises of princes, judged this clause necessary to secure himself from any danger which might arise from a change of circumstances: and Stephen appears to have been perfectly sensible of Robert's intention in this evasive stipulation; however, dissembling as well as himself, he wore an air of great satisfaction and confidence towards him, in the mean time neglecting nothing to strengthen his own party, to do which more effectually, he took a body of foreign mercenaries (Flemings) into his pay, which, together with the English forces already in his service, formed so considerable an army, that he had little to apprehend from the private machinations or open attacks of the empress or her friends.

The example of so powerful a nobleman as the earl of Gloucester, who was moreover looked upon as the soul of Matilda's party, had such an influence on the other barons, that they took an oath of allegiance to Stephen, as did most of the prelates, who had as yet stood out. Stephen likewise procured pope Innocent to confirm his title and possession. But here it is to be observed, that the prelates clogged their oath of fealty with the following proviso, that they should pay allegiance to him "so long only as he maintained the liberties of the church, and supported her discipline ‡."

Stephen, highly pleased with being thus recognized by the prelates, whose power, influence, and example could not but have a great effect over the whole nation, resolved to give them a signal instance of his gratitude and good-will; and having convoked an assembly of the states at Oxford, he there renewed his coronation-oath, at the same time confirming it by a charter, in which "he promised to preserve the immunities of the church, disclaimed all simoniacal promotions; referred the persons and estates of all the ecclesiastics to the cognizance and jurisdiction of the bishops and the spiritual courts; secured the free and undisturbed enjoyment of all possessions belonging to the church at the death of William I. declared his intention to examine the claims of the clergy, and to restore to them all their possessions or privileges that had been taken away from them before that event; confirmed what estates had been since granted; allowed them to dispose of their effects by will, and engaged to commit the care of the possessions and revenues of vacant prelacies to clergymen and others of reputation till they should be canonically filled. He reserved to himself all the forests belonging to the crown before the accession of the late king; but gave up all the new ones that had been made by Henry, and were in such numbers as to be an intolerable grievance; promising also to give his protection and to do justice to every one of his liege subjects, and to abolish all unjust exactions and methods of oppression." And concludes his charter with an assurance that he would cause the good and wholesome laws and customs in the hundred and other courts to be duly observed.

Numbers of persons of the first nobility and the greatest dignity in the kingdom were witnesses to

† This probably happened at the coronation-dinner, after the archbishop had performed the office of crowning Maud, Stephen's queen, on Easter-day, March 22, it being customary for the archbishop of Canterbury to sit on the king's right hand

at dinner on that solemn occasion.

‡ See Huntingdon, Rich. Hagulsted. Col. 313, 314. and W. Malmesb.

this charter †. How far the king regarded the performance of the promises he therein made to his subjects, will best appear in the course of his history. Thus far, however, we may say, that the number and quality of the attestators furnishes a kind of evidence that the nation in general was satisfied at that time with Stephen's right. Some restless spirits there were, however, who endeavoured all in their power to disturb his government and shake his throne: the chief of these, both in power and insolence, was Baldwin de Redvers, earl of Devon and lord of the Isle of Wight, who, upon a repulse he had met with from the king in some slight favour he had asked, was so highly incensed thereat, that he threw off his allegiance, and, retiring from court, fortified himself in his castle of Exeter. His revolt was the more dangerous at this juncture as the Welsh had lately made an irruption into the frontiers, which rendered it necessary to send a strong army against them; but Stephen, who was always present upon any emergency, readily conceived that the quelling this rebellious subject was of more consequence than putting a stop to the inroads of the Welsh, and therefore he immediately put himself in march with a strong army, and went and laid siege to Exeter, the reduction of which cost him three months, and the place would have held out much longer had it not been in want of water through the drying up of the well which supplied the garrison. Before the surrender of the place, the earl found means to escape to the Isle of Wight, whither the king followed him with amazing expedition, expelled him from thence, obliged him to seek his safety by flying into Normandy, and seized upon all his estates in England.

This commotion was hardly appeased, when another was raised by Robert de Bathenton, who, after the example of Redvers, fortified his castle ‡, and renounced his obedience to Stephen. As soon as the king was informed of this fresh revolt, without staying to rest his harrassed troops or himself, he marched against this discontented baron, who, on his approach, put on a shew of contrition for what he had done, and offered to deliver up his castle to Stephen, who thereupon advanced to take possession of it; but the traitor, with an unparalleled effrontery, instead of performing his promise, appeared upon the walls, and declared his intention to hold out to the last extremity. This so exasperated Stephen, that he pushed the siege of the castle with redoubled vigour; and Bathenton attempting to make his escape in disguise, was discovered, taken, and brought to the king, who ordered him immediately to be hung up in view of the garrison. This sight so intimidated them, that they instantly capitulated.

† It may be proper to inform the reader, that it was signed by fourteen bishops; and of the temporal peers, by Henry, the prince royal of Scotland; by the earl of Gloucester; William de Warren; Ralph, earl of Chester; Hugh Bigod; William de Peverel; Ilbert, or Gilbert, de Lacy, or Lessois; and many others.

‡ It had been an ancient custom in England, for some of the principal noblemen to have one or more castles on their estates. The original intention of these fortresses seems to have been to defend the country against the incursions of the Scots, and the invasions of the Danes, Saxons, Normans, and other adventurous free-booters. When, after the Conquest, those precautions were rendered unnecessary, except in the northern counties, the castles were still suffered to remain. But instead of being, as they had formerly been, places of strength for the security of the nation, they were now converted into receptacles

Stephen being now at leisure to advert to the proceedings of the Welsh, sent a strong army against them, under the command of some English barons, whose territories lay in the neighbourhood of those places which they had ravaged in their excursions; wisely concluding, that these men would fight for the preservation of their own property, if they did not out of fidelity or love to him; but the event was not attended with that success the wisdom of the plan merited, for the English were defeated in an engagement with the enemy, in Cardiganshire, with the loss of three thousand men, who were slain in the field of battle, besides great numbers who perished in the river Temd, by the breaking of the bridges over which they were flying. The Welsh remained masters of the county by this defeat, and, after having exacted immense contributions from the inhabitants, returned home loaded with plunder.

This check seems to have given the king very little concern, for, the next day after receiving the news of it, he went down to Brompton, in Huntingdonshire, to take the amusement of the chase. And here he gave the first indication of the little regard he thought due to his late oath and charter; for the archbishopric of Canterbury becoming vacant about this time, by the death of William Corboil, the king seized upon the revenues, and kept them in his hands for upwards of two years; moreover, as the bishop died intestate, he seized upon his effects, pretending that they escheated to him in right of the prerogative which had been exercised by the three former kings his predecessors: this, however, must be confessed a very fallacious plea, inasmuch as he had made a formal resignation of such prerogative by the charter already mentioned, and therefore such a proceeding was nothing less than a downright violation of the promises he had so lately and so solemnly given to the clergy. Nor was he more scrupulous in performing those he had made to the laity; for, instead of granting them free liberty of hunting, he prosecuted several of the nobility on the old forest laws, with great severity. These steps excited great clamours in the nation, and provoked the earl of Gloucester to break his oath of allegiance, and to declare in favour of Maud, to whose court he forthwith repaired, to carry the designs he had formed in her behalf into execution.

Normandy had, ever since the time of the first William, been considered as an appenage to the English crown, and as such Stephen resolved to assert his right to that duchy. In the beginning of the year 1137, therefore, he went over to the continent, attended by several of the English nobility.

His presence was, indeed, more particularly necessary there at this juncture, as the Normans, upon the death of Henry I. were divided in their

of tyranny and rebellion. A nobleman who either was, or conceived himself to be affronted by the court, retired to his castle, where he shut himself up, renounced his allegiance to the crown, and ruled with despotic sway among all his dependents, in open defiance to the laws of the land, and to the power of the sovereign; nor could he, frequently, be reduced to obedience without a considerable expence of blood and treasure, or even sometimes endangering the constitution. Stephen, in order to preserve himself in the possession of the crown by obliging the nobles and leading men of the kingdom, had granted them almost every thing they asked, and among the rest the liberty to fortify their houses and castles. In consequence of this permission the old castles were not only repaired and fortified, but such an immense number of new ones were built, that, in a short time, there were no less than fifteen hundred fortresses in different parts of the kingdom.

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choice of a sovereign. The imperious behaviour of Matilda had alienated most hearts from her cause, as the people saw no prospect of living happily under the government of a woman who seemed to look upon those beneath her in a little better light than beasts of burthen, whose lives or services were hardly worthy her regard. As to Stephen, they looked upon him as sufficiently rewarded with the throne he filled; and besides, his elder brother, Theobald, had an incontestable priority of birth over him, and consequently was first entitled to their allegiance. Accordingly, the principal of the nobility and commons of that country made him a tender of the sovereignty, which he as readily accepted, as an offer he had never flattered himself with receiving.

Such were the dispositions of the people of Normandy in general; but Geoffrey Plantagenet, earl of Anjou, and husband of the empress Maud, considered things in a very different point of light; and whatever right the Normans might imagine they had to dispose of their duchy in favour of the person of their choice, he rested himself upon the incontestable right of his wife, as heiress to Henry, and resolved to support it by force of arms. He accordingly took the field with a numerous army, and soon reduced Argentune, Donfront, and several other strong places: but in his projects he seemed to forget that he was in a country over which he hoped shortly to rule, and behaved more like the freebooter and lawless invader, than the prince who asserted his right to a kingdom; for he suffered his soldiers to exercise the most brutal ravages, which so exasperated the Normans, that, rising suddenly against him, they cut off near a thousand of his followers. This, and the news of a rebellion raised against him in his own dominions of Anjou, obliged him to quit Normandy hastily, and by this retreat he lost all his interest in that country, save only a few towns still held by the empress.

Previous, however, to the departure of Geoffrey, count Theobald, despairing of being able to make head against such a powerful antagonist in the field, and finding that the Normans daily grew cool towards him, in proportion as his adversary had success in the campaign, and being moreover of an indolent and unwarlike disposition, had retired to the court of the French king, who encouraged him with promises of succours the ensuing year.

Things were in this situation in Normandy when Stephen appeared there as a third competitor for that duchy, and by his presence carried every thing before him. The dignity of king of England gave him a superior weight in the opinion both of the populace and of the nobility; the former imagining that they should reap great honour and advantage by the annexing of their duchy to so respectable a crown as that of England; and the latter, who had estates in this country, seeking only their own interests, which they knew must suffer in England if they sided with either Geoffrey or Theobald against Stephen. Thus the vanity of the people and the interested views of the great barons procured him a favourable reception in the duchy.

The earl of Gloucester, upon his retiring from the English court, had entered into a negotiation with the earl of Anjou, to whom he surrendered the town of Falaise, and the treasures of the late king

in Normandy, which he had left in his hands. Stephen, apprized of this, and several other designs of the earl to oppose him, resolved, if possible, to get him into his power: with this view he employed one William de Ypres, a person on whom, on account of the signal services he had rendered him, he placed the most unlimited confidence; this man Stephen employed to intercept the earl, if possible, and take him prisoner, or else to dispatch him. But the earl getting scent of the plot against him, took another road to that which he had given out, and thus escaped the snare laid for him. Stephen was now sensible that his plot was discovered, and therefore, with a policy peculiar to himself, he desired a conference with Robert, under a safe-guard; when, instead of going about to exculpate himself, he, with an apparent frankness, confessed the mean design he had formed, expressed the greatest contrition for it, and, in fine, made such warm professions of friendship and regard for the earl, that, entirely dazzled by this specious sincerity, the latter proposed a form of oath to Stephen, which he took without the least hesitation, and whereby he solemnly promised never to attempt the like piece of treachery for the time to come. This was done in presence of the archbishop of Rouen, who thereupon joined the hands of the king and Robert together, in sign of reconciliation and future amity. After this, Stephen behaved to the earl with all the exterior of frankness and friendship; but Robert soon perceived there was no sincerity at the bottom, and that the king was daily circumscribing his power, and stripping him of his possessions.

Stephen's next step was to detach the French king from the cause of Theobald, if it could by any means be done. He knew, that so long as the latter was patronized by the court of France, he could never hope to come at the peaceable possession of the duchy, which being a fief of that crown, no one could receive the investiture but by the consent of the king of France as lord paramount. A round sum of money at length gained Stephen all that he desired: the king of France consented to an interview, at which Stephen obtained the investiture of the duchy of Normandy for his son Eustace, and a renewal of the league between the two courts of France and England, made in the time of his predecessor Henry. As to Theobald, finding himself thus deserted, he compromised affairs with his ambitious brother, by resigning his claim for an annual stipend of a thousand marks.

This interview, and the peace consequent upon it, happened in May, 1137; and Stephen having gained this essential point, had not the least doubt but that he should be able to make his cause good against the earl of Anjou. Accordingly he marched to besiege Argentune, the most important place Geoffrey held in Normandy; but when the two armies came in sight of each other, a quarrel happened among the mercenary troops, of which the king's army was chiefly composed. This obliged him to desist from prosecuting his design against Argentune, and even made it necessary to hearken to terms of accommodation with Plantagenet, to whom he agreed to pay an annuity of five thousand marks, as an equivalent for his claim to the duchy, and to leave him in possession of what he had taken in Normandy.

This peace, though far from being advantageous or honourable for Stephen, was very necessary at this time, as he had lately received advice of a conspiracy to place the king of Scots on the throne of England, and to massacre all the Normans on a certain day, the better to secure this new accession.

That David had any views upon the English crown does not seem to have been clearly made out, and there is great reason to believe that the whole affair had been greatly exaggerated to Stephen by his regency. Several persons, however, were apprehended on suspicion, and capitally punished.

The reader may recollect, that upon the ill treatment which young Henry, the son of David, had met with from the English nobles, on account of the high distinction shewn him by Stephen, the king of Scots had ordered him to return home, which he did, after having signed as a witness to the charter of Oxford; but, before he set out for Scotland, he pressed Stephen, in the most earnest manner, to put him in possession of those lands and honours for which he had done him homage at the peace of Durham; but Stephen put him off, upon frivolous pretences, and the young prince parted with great discontent, and returned home full of complaints to his father, who, from that instant, resolved to maintain his right, and that of his son, to their possessions in England, as peers of that realm. These then were the real motives, exclusive of the fealty he had sworn to the empress Maud, that induced David to invade England. To this he was moreover encouraged by the general disaffection the English began to shew to Stephen's government, on account of the little regard he paid to the charter he had granted them. David assembled a numerous army, and was on the point of falling upon Northumberland, when the venerable Thurstan, archbishop of York, desiring to avert the calamities that threatened his country, prevailed upon the Scottish king and his son to give him a meeting at Roxborough, near the frontiers of both kingdoms; when he exerted his pious endeavours so effectually, that both princes agreed to suspend hostilities till Stephen should return to England, and give a final answer in regard to the investiture of Northumberland, which the Scottish kings had enjoyed ever since the time of Edward the Elder.

Stephen, informed of this situation of affairs, left Normandy, and arrived in England about the middle of December, 1137. No sooner was he landed than he was met by deputies from the king of Scots, who demanded the investiture of the county of Northumberland for the prince-royal, their master's son; which Stephen flatly refused: whereupon the deputies declared, in their master's name, that the truce he had consented to at the interposition of archbishop Thurstan, was at an end, and the English king's refusal, the first commencement of hostilities.

In the beginning of February, 1138, Stephen advanced against the Scots with a strong army; but David, not chusing to trust to the issue of a battle in a strange country, retreated to Roxborough, whither the English king followed him; but finding it impossible to bring him to an action, and fearing, that if he kept the field longer, he might

endanger the loss of his crown, he repassed the Tweed, and retreated with hasty marches towards his own dominions, where his presence was become particularly necessary, several of the great barons having fortified their castles†, and declared against him, alleging, as an excuse for their insurrection, that they could not consider themselves as safe in their lives and properties under a king who had so early broken through his coronation oath and charter, by divesting several of his chief nobles of their estates, seizing upon the vacant church-livings, and advancing foreigners to the first posts of distinction in the kingdom; and therefore they determined to recant the oath of allegiance they had given to him, and to abide by that they had formerly sworn to the empress Maud. And here I cannot help giving the opinion of William of Malmesbury on this occasion, as it appears perfectly agreeable to truth, the known depravity of human nature, and the particular circumstances of those times: "Few or none (says he) of the English nobility, except Robert, earl of Gloucester, who rebelled at this time, acted upon principle." And, indeed, the pretence they made use of, was no other than a cloak for their private resentments; the true reason of their disgust was their not being rewarded in the manner they expected.

Stephen was chagrined at this defection; but not being a person to shrink at the prospect of difficulties, he resolved to oppose force to perfidy; and therefore, immediately upon his return to England, he laid siege to the castle of Hereford, and pushed his operations so powerfully, that it soon fell into his hands. The reduction of Shrewsbury soon followed; and Dover castle, terrified by the examples made of the garrisons of the two other places, whom Stephen had ordered to be hung up, was surrendered by its governor, Wattelyn.

The earl of Gloucester now openly declared for the revolvers, and sent a message to Stephen, giving him to understand, that upon consulting his conscience, he found that he could not pay allegiance to any other person as sovereign of England, but the empress Matilda and her husband, and therefore redemanded the homage he had sworn to Stephen. Upon this renunciation of allegiance, the king seized upon all his great estates in England, and levelled several of his castles with the ground.

While those things were transacting in England, David, king of Scotland, taking advantage of Stephen's absence, again invaded Northumberland, after Easter, 1138; and after having ravaged the country for some time, penetrated as far as Northallerton, in Yorkshire, where, being met by an English army, under the command of William, earl of Albemarle, accompanied by Walter Espee, Roger Mowbray, Robert de Brice, Barnard de Baliol, Walter de Gant, and most of the northern barons, on the twenty-second of August a bloody battle ensued, called the Battle of the Standard, from the famous standard erected on this occasion by the English, who had all together entered into an association to stand or fall by one another. Of this standard we have the following description, in the prior of Hexham and Rievallensis: in a sort of wheel-carriage they had erected the mast of a small

† The chief barons who declared against Stephen on this occasion, were William Talbot, who held the castle of Hereford; William Lovel, who held that of Carew; Paganel, that

of Ludlow; William de Mohun, that of Dunster; Eustace Fitz John, that of Malton in Yorkshire; William Fitz Allen, that of Shrewsbury.

ship, on the top of which was placed a silver cross (or according to others, a pix †), and all round the pole were hung the banners of St. Peter, St. John of Beverley, and St. Wilfred.

Around this fanatic ensign the English were drawn up in a firm compacted body, the front being composed of pikemen and archers intermixed, to receive the first shock of the enemy; who, holding a council of war about the manner of beginning the engagement, disagreed in their sentiments: David and most of his nobility were of opinion to begin the attack with the archers and well-armed part of the forces, who were an equal match to the English; but the Galloway men, who were descendants from the ancient Britons, and, like them, fought without any defensive armour, and with slight weapons of offence, fit only for parties of incursion, deemed it as their right to begin the onset, presuming that their natural courage would more than make amends for the defect of armour. This claim occasioned a warm dispute between Alan de Percy and the earl of Stratherne, which being told to king David, he, fearing the ill consequences of a quarrel at this critical juncture, hastily gave orders for the Galloway men to take their post in the van, and begin the engagement. The second line was commanded by his son, a prince of great beauty, valour, and merit; he had under him a body of knights and archers, together with the militia of Cumberland and Tweedale, and was supported by Eustace Fitz John, an English nobleman *, who was a great favourite of the late king Henry, and had now deserted the party of Stephen, upon some ill usage he had received from him. The third body was composed of the Scotch Highlanders and the forces of Lothian and Murray, king David himself being at their head, with a party of English and Norman knights for the guard of his person.

The Gallovingians began the charge, according to their custom, with three huzzas, and fell upon the English archers with such fury, that they at first gave ground; but being sustained by the firmness of the rest of their body, and deriving great advantages from their armour in a close engagement, they so galled the enemy with their continual flight of arrows, that they could scarce see where to direct their blows; and the Galloway men, having lost their two commanders, Ulgric and Donald, were broke, and fled in great confusion.

The prince of Scotland then marched up to the attack with the second line, and fell on with such incredible fury, that in a very short time he pierced through part of the English army even to their very rear; while the English, terrified with the impetuosity of his attack, were on the point of quitting the field, had not an experienced veteran stopped them by an artful stratagem; for cutting off the head of one of the slain, and erecting it on the point of a spear, he called aloud, "Behold the head of the Scottish king!" This brought the English on again, who renewed the battle with redoubled vigour. On the other hand, the Scots, thinking their king slain, were struck with such a panic that they no longer made any resistance, but took to flight on all sides; so that king David, who had hitherto fought on foot, now finding himself left

in a manner alone, was prevailed upon to mount on horseback and retreat, which he did, accompanied by his knights, in good order. The runaways seeing the royal banner waving in the air, immediately concluded that the report of their king's death was false, and rallying, joined him in such numbers as made them terrible to their pursuers, who were now convinced, that however they might have been put to flight by a stratagem, they were resolved to retrieve their character by their bravery; and declining any farther pursuit, they suffered David to retire unmolested to Carlisle, where he remained two days in great anxiety concerning the fate of his son, of whom he could hear no tidings.

That gallant prince, after breaking through the English ranks that were opposed to him, had passed beyond the standard, and fell upon a party of cavalry, posted behind the main body, whom he drove before him the space of two furlongs, supposing that he was followed by the rest of his forces; but finding himself at length with a few of his followers only, in the midst of the English troops, he made them throw away their badges of distinction, and mixing with the enemy as if a part of their corps, found means at last to get from them undiscovered, and passing through bye-ways, at length reached the king his father at Carlisle, who received him with the greatest joy, after having given him over as slain or taken prisoner. The Scots lost no great number of men in the battle, but several thousands of those that fled dispersedly, were slain in the different counties through which they endeavoured to make their way to Scotland.

Stephen was so well pleased with this victory, and with the conduct of his generals, that he conferred on William, earl of Albemarle, who commanded in chief, the additional title of earl of Yorkshire; and bestowed the earldom of Derby on Robert de Ferrieres, who had also greatly signified himself in the late engagement.

The king of Scots, on his part, not daunted by his late defeat, after resting for some days at Carlisle, renewed his invasions into England, and laid siege to the castle of Werk, which he took, after an obstinate defence.

In the mean time, Albert, bishop of Ostia, the pope's legate in England, interposed his good offices, in order to bring about a peace between the contending potentates; and Matilda, the wife of Stephen, who was niece to David, king of Scots, joining her persuasions to those of the legate, a truce was at length agreed upon for a few months, and a definitive treaty of peace was concluded the next year: the terms of the agreement were, that the prince-royal of Scotland should be put in possession of the whole county of Northumberland, excepting only the towns of Newcastle and Bamborough, for which he was to have an equivalent in the southern counties. These articles being ratified and confirmed, the barons of Northumberland did homage to the Scottish prince, who attended Stephen in his return to court as a peer of the realm.

The affairs of the North being thus happily settled, Stephen had now leisure to direct his atten-

† The pix is a small glass shrine, in which the host, or consecrated wafer, is kept, in popish countries, to be shewn to the people during the time of divine service, on any holiday.

* He was lord of Alnwick and Malton.

tion to what was transacting in Normandy, where the earl of Gloucester had publicly declared for the empress Maud, who, with several of her friends, had taken up arms, and were making great preparations for invading England. Whereupon Stephen found it necessary to send a body of forces over to Normandy, under the command of the earl of Mellent and William de Ypres; but the two generals soon found that the adverse party was too strong for them to have any hopes of success, if they came to extremities: remaining, therefore, inactive, they beheld several of the principal towns and cities submitting to the enemy, without being able to oppose them; and, indeed, so general was the defection in that duchy, that Stephen had scarce a single place of defence left, excepting the city of Rouen.

In the beginning of the year 1139, Stephen undertook the siege of Ludlow castle*, a garrison belonging to Robert de Paganel; but with so little success that he abandoned it, and repaired to Oxford, where he called a great council, in order to rectify the flagrant abuse that the great men in general had made of the permission granted them to erect castles upon their estates, and fortify them. Among these the bishops had not been the least forward, inasmuch that Stephen found they had in a manner garrisoned the kingdom against himself: resolved, therefore, not to be a nominal king only, he waited but for a favourable opportunity to strip them of their exorbitant power; and a quarrel that happened between the followers of the bishop of Salisbury and those of Allan, earl of Brittany, about lodgings, in which some of the latter were killed, gave him the most plausible handle he could desire, for putting his designs in execution. Accordingly he summoned the prelate to attend him in the council, and answer for the riotous behaviour of his men, who had been the aggressors. Thither the bishop repaired, accompanied by his two nephews, Alexander, bishop of Lincoln, and Nigel, bishop of Ely, with such a numerous train of followers as excited the indignation of the other courtiers, especially the earl of Mellent, who insinuated to Stephen, that he could never be secure of his crown while the prelates were suffered to keep such a number of strong holds in their hands, and to entertain such numerous retinues. Upon the appearance of the three bishops, the king insisted that they should deliver up all their castles into his hands; and upon their discovering a reluctance to comply with these commands, he ordered Roger and Alexander to be committed to close custody: as to the bishop of Ely, he made his escape, and retired to his castle in the Devizes, determined to hold out to the last extremity; but William de Ypres being immediately sent after him, with a numerous force, took with him the other two bishops, and erecting a gallows in sight of the castle, threatened to hang them both thereon, unless the garrison immediately surrendered. Nigel, under these circumstances, could not hold out any longer; but having made his submission, he and the other prelates were forced to purchase their liberty by de-

livering all their castles into the king's hands; who, by this bold but impolitic step, brought the resentment of the whole body of the clergy upon him, which, in the sequel, proved the ruin of his affairs †.

Sacrilege, persecution, and violation of the privileges of holy church was now all the cry; the deluded people were taught to believe that religion itself was in danger through the attack that had been made upon its ministers; and to such a height did the general murmur and discontent rise, that the bishop of Winchester, Stephen's brother, who had been lately vested with the legatine authority, found himself obliged to convoke a general synod of the clergy at Winchester, on the twenty-ninth of August, 1139, and summoned the king to appear thereat in person. Stephen, however, who was the last person in the world to suffer himself to be priest-ridden, instead of obeying this insolent summons, sent in his stead one Aubrey de Vere, the most learned lawyer of his age, who, in a speech that did honour to his heart and abilities, justified the king's conduct in what he had done, shewed the council that the measures he had taken were founded on justice, and agreeable to the tenor of the Gospel: he observed, that the bishops had been seized, not as prelates, but as peers of the realm, who had justly incurred their sovereign's displeasure by their insolent and overbearing carriage, which had furnished sufficient cause to suspect them of favouring the designs of the enemies of the government: he farther added, that castles were not allowed the bishops by the canons of the church; were irreconcilable with their functions, as the preachers of peace, and could be looked upon in no other light than as the sanctuaries of disloyalty and the asylums of rebellion." This spirited remonstrance of de Vere so nettled the clergy, that they were about to pronounce an ecclesiastical anathema upon the king and his adherents; but Aubrey, who came prepared for the worst, gave them to understand in a very plain manner, that the first person who should presume to pronounce any spiritual interdict against his sovereign lord and theirs, should never live to behold the fruits of his insolence. Such a resolute and noble declaration brought the rebellious spirit of the prelates a little down; the meeting was adjourned to the next day, and in the evening the legate and the principal clergy had an interview with the king, at which mutual concessions being made with equal insincerity on both sides, the storm dispersed, an apparent calm ensued, and the synod was dissolved the next day, without carrying any of the points for which it had met.

But Stephen soon found the ill effects of this difference with the bishops; for the empress Maud, being informed of the disturbances in the kingdom, thought this the most proper time for asserting her right to the English crown; and accordingly she, with the earl of Gloucester, came over about the end of September, 1139, and landed at Arundel castle, in Suffex, with no greater retinue than one hundred and forty men; a very inconsiderable force

* In conducting the operations of this siege, he gave a remarkable proof of his courage and humanity: the prince of Scotland, who attended him in this expedition, having ventured too near the enemy's works, was like to have been taken off his horse by means of an iron hook let down from the walls at the end of a rope; but Stephen, seeing the danger he was in, boldly interposed, and rescued him, at the hazard of his

own life: an action which redounded equally to the honour of the king and of the young prince for whom he shewed such an affection.

† Several authors tell us, that Stephen's army found an immense treasure in some of those castles, which proved of infinite service to the king afterwards, in purchasing the friendship of Lewis the Young, then king of France.

for such an undertaking as she came upon; but she relied on a powerful aid from the malecontents, with whom the whole kingdom swarmed at this time, the common people, who had been taught that the main of religion consisted in supporting the clergy in every thing they did, being ready to take up arms upon the first appearance of a leader to head them.

Stephen, upon the first news of this landing, advanced to Arundel, where the queen-dowager, who resided there, had received the empress with great demonstrations of affection; and the earl of Gloucester, thinking his sister perfectly safe under such a protection, left her and went to Bristol, in order to forward his designs in that part of the country. Upon the approach of the king, the dowager sent a messenger to desire him not to take amiss what she had done in giving the empress a reception, as she had taken that step wholly out of regard to her as a daughter-in-law, and from the respect due to her high rank and quality, and not in any wise as being willing to encourage or favour her as his competitor for the crown; beseeching him, at the same time, not to besiege her there, but to give her leave to retire to some other place, where he was at liberty to act as he might see proper, and she should be no longer bound by the rules of hospitality, as now, to defend a person who was become her guest. Stephen behaved on this occasion with a gallantry that bordered upon folly, for he not only complied with the dowager's request, but gave Matilda her choice of what place in his dominions she chose to retire to. She named Bristol; and the king ordered his own brother, Walleran, earl of Mellent, to escorte her thither in a manner becoming her dignity. The earl accordingly conducted her as far as Carlisle, where she was received by the bishop, and by him conducted to the earl of Gloucester, who came out of Bristol to meet her, with a body of forces.

No sooner was she arrived at Bristol than she openly declared her title, and asserted her claim to the crown of England, upon which the people flocked from all parts of the country to pay their allegiance to her; but what principally strengthened her party was her being recognized by Milo, or Miles, high-constable of England, or, in the style of that age, captain of the guard, who, on her removal from Bristol, not to be in the same place with her brother, gave her the castle of Gloucester, which he commanded, for the place of her residence, and honourably subsisted her at his own expence; at the same time disclaiming his allegiance to Stephen, and declaring openly for her.

Stephen in the mean time, hoping to crush his enemies before they could assemble all their forces, laid siege to Wallingford; but finding it was like to hold out longer than his affairs would permit him to stay before it, he converted the siege into a blockade, by building two forts opposite to it, and marched to Trowbridge. In his way he reduced the castles of Colne and Malmesbury, which had declared for the empress. Trowbridge also promising to cut him out more work than he expected in its reduction, and fearing that the earl of Gloucester might come upon him with a superior force, he raised the siege, and marched for London, where his chief dependence lay, in order to recruit his fatigued troops, and support the drooping spirits of his party: indeed, at this time,

Stephen's only adherents seem to have been a few barons and his foreign mercenaries, who, though ill paid, continued to serve him with great fidelity.

This retreat of the king gave an opportunity to Milo to march and attack the garrisons which Stephen had left in the two forts before Wallingford, which the constable took by storm, and put every one therein to the sword, and raised the siege of that place. For this important service he was by the empress created earl of Hereford. Soon after he laid siege to Worcester; but the castle made so vigorous a defence that he was obliged to abandon his enterprize, and retreat, after having committed several unmanly acts of cruelty and revenge upon the miserable inhabitants of the neighbouring country.

The king having by this time recruited his army, and gained some addition to his party, left London and set out for Oxford; from thence he proceeded to Gloucester, and afterwards to Salisbury, where he arrived about Christmas, and halted there to keep his holidays, which to him were days of grief and mourning, on account of the bad situation of his affairs, and the still more calamitous state of his subjects in general, who now found themselves exposed to all the horrors of civil war.

In the month of January, 1140, the king left Salisbury, and repaired to Reading, from whence he marched with a body of forces to seize the castle belonging to Nigel, bishop of Ely, which that prelate quitted at his approach, and fled for protection to the earl of Gloucester. After having secured this fortress, he ravaged the neighbourhood of Tewkesbury, and attacked Hereford with a numerous army, but was obliged to abandon it quickly after, and retire without glory or success, to Winchester. During his stay at Salisbury, he created William Fitz Beauchamp high-constable of England, in the room of Milo.

About this time we find a match concluded between Eustace, Stephen's son, and the princess Constance, sister to the French king, through the mediation of Matilda, Stephen's queen. By the marriage treaty, Lewis was to give the investiture of the duchy of Normandy to Eustace, as a dowry with his sister; and the king of England was, in return, to pay the French monarch a considerable sum of money.

During these transactions, the strong castle of the Devises was seized by one Robert Fitz Hubert, a man of an abandoned and profligate character, who, on this occasion declared neither for the king nor the empress, but kept the fortress in his own hands, making his boast, that with some forces he had sent for out of Flanders, he should quickly be in a condition to render himself formidable to both parties. The earl of Gloucester, upon hearing of this, sent the governor of Marlborough castle against him, with a strong force, who having gotten the audacious rebel into his hands, sent him to the earl, who immediately gave orders to hang him up in sight of the garrison, hoping thereby to terrify them into submission. The castle afterwards submitted to the empress, who likewise soon afterwards was put in possession of that of Bedford, which had been surprized by her fast friend and general, earl Milo. The earl of Gloucester also made an attempt upon Bath, but miscarried in his design, after having received a rude check from a strong party of the royalists, headed by Gilbert de Talbot. Abandoning,

doing therefore that part of the country, he marched against Nottingham, where he met with better success, the garrison surrendering after a short resistance. During the confusion consequent upon the delivery and taking possession of the town, a fire by some accident broke out, which in a short time reduced it wholly to ashes.

In the mean time the bishop of Winchester reflecting upon the calamities which his country already suffered, and those with which it was threatened, began now to be sensible of his error in having fomented these disturbances by the high hand which he had carried against the king his brother, in the affair of the bishops: his own good understanding dictated to him that he must necessarily be involved in the common ruin, should the empress's party succeed, and his brother be driven from the throne; he therefore resolved to stand by him: and, in order to regain his confidence by some important service, he found means to draw together to Winchester a considerable number of barons and principal men who were friends to Maud, and having got them in his power, detained them prisoners till such time as they delivered up their castles to the king.

After this he laboured to bring about an accommodation between the contending parties; and accordingly we find that some time in this summer commissioners were appointed on both sides; but as the empress seemed determined to put the issue of her claim upon the decision of the church, and as Stephen knew very well, that, on account of the late heart-burnings between him and the prelates, the event would not at all terminate to his advantage, he broke off the conference, and each side prepared anew to decide their cause by the sword.

The war was carried on with various success till September, and this wretched land was over-run with mercenaries, brought by both sides from different parts of the continent. Historians are unanimous in representing the whole kingdom as the theatre of anarchy and confusion, every county, every town, and almost every individual declaring for one or the other of the competitors, as biased by interest or affection. The great lords attacked each other's territories with all the rage of barbarian freebooters: castles, houses, churches were every day levelled to the ground, or lighted up in flames, to gratify private pique and animosity; the unhappy wretches who were made prisoners on these occasions, were inhumanly sold for slaves, and frequently more inhumanly massacred, unless they could purchase the shadow of life and liberty by parting with every means of subsistence, to gratify the avarice of their cruel captors. It must, indeed, be observed, in justice to the king and the earl of Gloucester, that they neither, by their principles or practice, countenanced such outrages, though at times they were obliged to connive at them, dreading to punish their friends lest they should alienate their affections.

About the latter end of September the bishop of Winchester, who had greatly at heart the effecting an accommodation as soon as possible, went over to France, in order to engage the French king to interest himself in setting a negotiation on foot; but as the church was here again to have the principal direction of the terms, Stephen, for the same reasons as before, rejected the proposal.

In the beginning of the year 1141, the earl of Gloucester concluded a treaty of marriage between his daughter and Ralph de Gernons, earl of Chester, by which the latter was entirely brought over to the interest of the empress. and hearing that Stephen had just left Lincoln, where he had passed the preceding Christmas, the earl resolved to surprize that town, and associated with him in the expedition William de Romara, his half-brother. They met with the desired success, and Lincoln fell into their hands. But the inhabitants of that city, being firmly attached to Stephen, immediately sent him word of the fate of their city, intimating at the same time, that, with his assistance, they made no doubt of being able to wrest it again out of the hands of the enemy. The king, on receiving this advice, and knowing that Lincoln, where he had so many friends, could not be defended by the few troops that the Empress had in it, resolved to march forthwith to recover this important place, and sent the townsmen word that they might rely on his being speedily with them, at the head of such a force as should soon free them from the power of their present masters. And, indeed, Stephen exerted himself so well on this occasion, and made such surprizing marches, that the earl of Chester had but just time to retire into the castle, which the king immediately invested; however, the earl found means to escape, and get to the earl of Gloucester, when it was resolved in the council of the empress to relieve the castle, or come to a decisive battle with Stephen.

The two earls, therefore, put themselves in march with all the forces they could draw together, and made such expedition, that they were very nigh coming upon the king unawares, who had not the least conception of their being so near; the earl's army having forded the river Trent, a thing Stephen thought impracticable.

In this situation of the two armies it was next to an impossibility not to come to a speedy engagement; and accordingly both sides set about making the necessary preparations for that purpose. Stephen was the first who drew out his troops in battle array, which, though inferior in numbers to that of the empress, he thought this disadvantage more than counterbalanced by the valour of his soldiers and the experience and skill of his general officers, among whom William de Ypres, a Fleming, deservedly held the first rank. The king drew up his forces in four lines; and, resolving to fight on foot, put himself at the head of his main body, consisting of two corps of infantry, and placed his horse in two wings, one composed chiefly of Flemings, under the command of de Ypres, assisted by the earls of York and Albemarle; the other of Bretons and English, headed by the count de Mellent, Hugh Bigod, earl of Norfolk, with the earls of Northampton and Surry.

The earl of Gloucester drew up his army much in the same manner, himself commanding on foot at the head of his main body; one of his wings was composed of those who had been stripped of their honours and estates by Stephen, and were animated to the combat by their personal injuries; the other was made up of the vassals of the earl of Chester, under his own conduct. William de Ypres began the battle, by falling upon a body of Welsh, whom the earl of Gloucester had posted on the outside of the left wing, to serve as a corps de reserve, and fall

fall upon the enemy's flank after the engagement was begun; these men, though very brave in their persons, were too slightly armed for a pitched battle, and therefore were presently put to the rout; but their pursuers, being heedless in chase, suffered themselves to be charged in flank by the earl of Chester, and were so entirely broken as never again to be able to rally. At the same time the earl of Gloucester, taking advantage of this success, fell so furiously upon the king's infantry, that, unable to withstand the impetuosity of the shock, and deserted by their cavalry, they were obliged to take to flight also.

Stephen now found himself left as it were alone, in the midst of the enemy; nevertheless, disdain- ing to turn his back, he continued to dispute every inch of ground against an amazing superiority, till at length, having shivered his sword in a thousand pieces, he fought with his truncheon, until he received a blow with a stone, which struck him to the ground: this being perceived by a knight of the enemy's party, named William de Kaimes, he ran in and closed with the king just as he was raising himself upon his knees, after having a little recovered his senses, when, clapping the point of his sword to his throat, he threatened him with instant death if he would not surrender; but Stephen, not in the least dismayed, peremptorily refused to resign himself into an ignoble hand, and called out for the earl of Gloucester: happily that nobleman was near at hand, and instantly running up, took the royal captive under his protection, whom he treated with the greatest respect all the time he was in his custody; and the castle of Lincoln now falling to the lot of the victors, the king was lodged therein for that night, after which he was conveyed to the empress Maud, who, at the time of this battle, was in Gloucester; and no sooner had she gotten Stephen in her power, than, forgetting the tribute of gratitude due to him for his former generous behaviour to her, she ordered him to be confined in the castle of Bristol, and ignominiously laid in chains. This battle, which seemed to render Maud the sole and undisputed mistress of the English crown, was fought on the second of February, A.D. 1141, being Sexagesima Sunday.

The empress took every step that she judged most likely to improve this great advantage: she immediately set out on a progress through the several parts of the kingdom where her friends had already declared for her. Indeed all England had abandoned the captive king, excepting London and the county of Kent, in which his queen Matilda, his son Eustace, and his favourite William de Ypres, still maintained their authority.

While her fortunes were as yet unsettled, Maud was wise enough to suffer herself to be guided by the counsels of the earl of Gloucester, who failed not to represent to her on this occasion, that all the success she had gained, or the numbers who declared for her, would avail her cause but little, unless she could find some means of winning over the bishop of Winchester to her party, who, in consequence of the legatine power he had received from the pope, was at the head of the church, and could dispose the clergy either for or against her; and their example would have a great influence on the common people. Resolving, therefore, to detach this prelate on any terms from his brother, she went to make him a visit at his palace at Win-

chester, where she so wrought upon his fickle and ambitious mind, that, regardless of the ties of brotherly affection, or of the rules of common policy, which should have kept him from lending his assistance to those who wanted to remove the sceptre for ever out of his family, he suffered himself to be prevailed on to give the empress and the earl of Gloucester a public meeting on the third Sunday of Lent, in this same year, on an open plain near Winchester. Here they held a conference, in which the empress promised, if he would espouse her cause, that she would surrender into his hands the whole government of church and state, be wholly guided by his advice in the disposal of all offices of profit and dignity, and, moreover, leave to him the entire department of filling up all vacant bishoprics and other church-preferments. These promises she offered to bind by an oath, whereupon Henry, who was restrained by no principles of honour, readily embraced the proposal, and took an oath of allegiance to her, having first exacted her's for the faithful performance of what she had promised.

Loyalty, brotherly love, and patriotism having been thus infamously bartered away on the side of the prelate, for worldly honours and power, he the next day received the empress with great pomp in the cathedral church, where he solemnly excommunicated all those who should oppose her, and promised full absolution of their sins to any one who should pay obedience to her. The gaining over the legate was a great point secured; but still there was one of great consequence remaining to be settled, which was the getting Theobald, archbishop of Canterbury, to recognize Maud's title: this prelate, upon some scruples of conscience relative to the legality of swearing fealty to two different competitors for the throne of his country, had kept away from the conference held between Henry and Maud. The absence of so great a subject could not but give her and her party some uneasiness; therefore, the empress having removed with her court to the monastery of Wilton, the legate sent a message to the archbishop, requiring him to repair thither to a personal conference, when such arguments should be laid before him as would effectually remove all his present scruples. The archbishop obeyed; but when it was proposed to him to acknowledge the empress Maud as sovereign of England, he declared that his conscience would not permit him to do such a thing, until Stephen, the sovereign to whom he had already sworn allegiance, should himself absolve him from that tie, and leave him at liberty to act for himself: he therefore demanded leave to visit Stephen, in order to receive from his mouth the answer which was to determine his future proceedings. Accordingly, having received permission from the empress, he repaired, attended by most of the clergy, and a great number of the laity, to Bristol, where that unhappy prince was confined, and whom they found ingloriously fettered like a common malefactor. Oppressed with his misfortunes, and seeing no prospect of their being terminated but by an untimely death, should he obstinately oppose the designs of those who had his fate in their hands, he consented to dispense with the archbishop's fealty, and told both him and the nobles, that he gave them free liberty to follow the current of the times. This concession, forced from him by the exigence of his circumstances,

circumstances, was interpreted into an act of grace and free-will; and the archbishop, having gone through this farce, declared himself ready to join with the legate in what he had done.

The interest of the clergy being thus fully secured by the coming in of their two chiefs, Henry appointed a council to be held at Winchester, after Easter, and made use of the intervening time to bring over, by promises and threats, all such of the clergy whom he thought not sufficiently staunch to the cause he had taken in hand.

Matters and minds being properly prepared, the synod assembled on Monday, April 7, 1141. The meeting was very full, and the legate opened the session with a speech, which we have transmitted by William of Malmesbury, who was present, and which was to the following import.

"That having the honour to represent the pope in this kingdom of England, he had, in virtue of the pontifical authority, called together the English clergy to consult upon the most proper measures to be taken, for restoring peace to their troubled country, groaning beneath the miseries of domestic contention, and which he attributed to the tyranny and mal-administration of his brother Stephen. He then proceeded to expatiate on the blessings and happiness the subject enjoyed under the equitable administration of his uncle Henry of glorious memory: and having set forth the contrast in the most striking point of light, he went on to remind them, that this excellent prince had, a few years before his death, engaged all the bishops and barons of England and Normandy, to accept of the empress as their eventual sovereign on his decease, and to take an oath of fealty to her as such; and afterwards to her son Henry, in case of survivorship: that the case of the succession stood thus, when Henry died in Normandy. That the empress being out of England at the time of her father's decease, his brother Stephen was permitted to reign, in order to prevent the anarchy and disturbances generally attending an interregnum: that he himself (the legate) had plighted his faith for him, that he would pay all due reverence to holy church, support her rights, and repeal all such laws that were oppressive. But, alas! (added he) I have found myself miserably disappointed, and I both grieve and blush to confess what hath been his administration, how wickedly he hath connived at the licentious behaviour of all degrees of men, insomuch that in less than a year after his mounting the throne, virtue and peace abandoned this country, and lawless tyranny and oppression took their places: bishops have been imprisoned contrary to law, and forced to part with their estates; abbeyes have been set up to sale, and churches and religious houses plundered of the treasures set apart for the honour and service of God. All good men have been obliged to quit a court where vice lorded it untroubled, and the ear of the king was wholly possessed by evil counsellors. Many and oftentimes (added he) have I interposed with the most salutary remonstrances, and as often have they been rejected: and although I preserve for my brother all that affection which nearness of blood can claim, yet it is my duty to obey the orders of my eternal Father, and to prefer them to the interests of a carnal pro-

pinquity: nay, the judgment of Heaven seems evidently to have overtaken my unhappy and ill-advised brother, by suffering him to be defeated and lose his liberty. I have, therefore (adds he), convened you by virtue of the apostolic power committed to me, to consult about the means of putting a stop to the calamities of this nation. This affair was yesterday examined in presence of most of the clergy, who ought doubtless to have a principal share in the election of a king, and, after the most serious and mature deliberation, we have resolved to acknowledge the empress for our sovereign: therefore, beseeching God to grant his blessing on our proceedings, I do hereby declare Maud, daughter of Henry I. of glorious and ever respectable memory, our queen and sovereign lady of this realm of England, requiring your allegiance and promise of standing by her with your lives and fortunes."

Such of the members who had not been let into the secret, were extremely surprized at the speech, and burnt with indignation to see the crown disposed of by a private cabal of churchmen, in so unprecedented a manner; nevertheless, being overawed by the great authority and power of the legate, no one chose to testify his dislike. The legate then acquainted them, that he had sent to the city of London, whose influence in public affairs was very great, to attend the council by its magistrates, and that he expected them as the next day, till which time he adjourned the assembly.

In effect, there seemed to be no other power in the nation capable of making head against the intolerable insolence of this assembly, who presumed, by a simple deputation from the pope of Rome, to dispose of the crown of this kingdom; a circumstance which cannot but reflect dishonour upon the lay nobles of those days, who suffered so audacious an insult upon the royal character and their own prerogatives: but, indeed, such was the divided state of the secularity, both nobles and commons, at this time, and such their mutual distrusts and jealousies, that, fearful of each other, they could not be brought to unite in the common cause of supporting their own consequence; while, on the contrary, the clergy, knit into one body under the legatine authority, carried all their points with a high hand. But to return.

The next day the deputies sent by the city of London arrived; but, instead of giving their assent to what had previously passed in the assembly, they peremptorily demanded, in the name of their constituents*, that the king should be instantly set at liberty. Henry, who expected this demand, was not in the least embarrassed by it, but, with a true prelati cal arrogance, told them, "that it ill-became the citizens of London, who were treated in England as noblemen, to take part with such who had deserted their lord in battle; had put him, by their evil counsels, upon dishonouring the church; who pretended an affection for the city of London merely to draw from its coffers all the money they could; and were even then endeavouring to involve both it and the nation in fresh troubles." This insidious harangue had little effect upon the deputies, who, with a steadiness that will ever do honour to themselves and those they represented, insisted

* Stephen's [queen Matilda, with his son Eustace, and the chief noblemen of the kingdom, had their residence in London; and the few who had the courage to profess themselves

in Stephen's interest, not only found there a safe refuge, but were chosen into their common council.

upon their first demand; upon which the legate told them, that the matter had been already decided, and could not be altered; and so saying, was about to dissolve the synod, when one Christian, a chaplain to queen Maud, stood up and offered a paper to the legate, which taking into his hand, he read over to himself, and then told the assembly that it contained a matter not proper to be laid before them at that time, and was going to put it by, when the chaplain, with a noble resolution, snatching it out of his hand, read it aloud to those present, when it appeared to be a petition from the queen, earnestly beseeching the council to order the king her husband to be released from the duration in which he was held by his rebellious subjects, and to restore him to his throne, particularly calling upon the bishop of Winchester to remember the ties of blood, and the oath of allegiance, by which he was bound to his brother and his king. To this petition the legate gave the same short answer that he had given to the reiterated demand of the Londoners, who, finding how things went, took their leave, saying they would report to their principals the reply that had been given them. The legate, having thus fully accomplished his designs, dissolved the council the day following, being Thursday, April 10, having first excommunicated several that still adhered to the captive king, particularly William Martel, against whom Henry was highly incensed for having formerly intercepted and plundered his baggage.

The noble stand made by the city of London on this occasion plainly convinced the empress and her party, that nothing effectual could be done unless means could be found to bring this metropolis over to their interests. With this view Maud, leaving Winchester, where she then resided, went to Reading, and there held a splendid court. Among others who came to pay their compliments to her here, was Robert d'Oyley, governor of the castle of Oxford, who resigned that fortress into her hands; upon which she immediately went thither, to take possession of it, and, after some short stay, advanced to St. Alban's, her court being daily crowded with the resort of new comers to pay their homage, and acknowledge her for their sovereign. This amazing success, and, above all, the high degree of estimation in which the earl of Gloucester stood with the nation in general, brought a great many of the Londoners over to the side of the empress, so that those in her interest soon proved too strong for the royal party within that city, and it was resolved to leave Stephen to his fate, and make the best terms for themselves that they could. Accordingly a solemn deputation of the citizens waited upon Maud at St. Alban's, about the beginning of June, offering to recognize her title, and inviting her to repair to their city. The empress required not to be pressed on this head, and therefore immediately set out for London, attended by a pompous train of barons and other nobles, and was received into the city with every possible mark of respect.

The city of London having thus declared for Maud, she met with no farther opposition, and from that time was looked upon as queen of England, nothing being wanting but the ceremony of her coronation. In the mean while she exercised all other acts of sovereignty; but that impotence of mind which prosperity alone discovers, robbed her of all the fruits of her unwearied labours, and

those of her friends and adherents: she was naturally of an insolent and haughty disposition, which shewed itself in her carriage on all occasions in which she did not put a restraint upon herself. She considered all petitions as so many commands, and thought that no human being had a right to examine into or direct her actions. Full of this spirit of pride and female obstinacy, and thinking herself secure of the crown beyond the possibility of a reverse, she resolved to shew her independency by flatly refusing every petition, and began by an instance which shewed her to have had either a weak head, or a very bad heart, and which exposed her to all the calamities and misfortunes she afterwards suffered in this island.

The wife of the deposed king, imagining that success would have softened the breast of the empress, applied to her in the most humble manner for her husband's release, promising that he would never for the future disturb her reign; that he would give up all pretensions to the crown; and, farthermore, to remove every possible cause of jealousy, was ready to embrace a monastic retirement. Such concessions in a person who had so lately enjoyed sovereign rule (and who, indeed, by such a meanness seemed almost unworthy of it) mollified all hearts (save that of Maud, threefold encompassed with ambition); and several great men of the kingdom joined their intercessions, but without effect: nay, even after the proposals made by Stephen's queen, in his name, had been debated in council, and that the earl of Gloucester, and David, king of Scots, approved of them, and were for setting him at liberty, the empress foolishly persisted in rejecting them; and even forbid the unfortunate Matilda to appear any more in her presence. But, as if this act of haughtiness and revengeful cruelty was not deemed sufficient to turn against her the stream of popularity, she drew upon herself the hatred of the citizens of London, which it was so much her interest to manage, by insolently refusing them the only thing they petitioned, and which had been faithfully promised them by the king her father, namely, to mitigate the severity of the Norman laws, and revive those of Edward the Confessor: and when, at an elegant entertainment to which that city invited her a few days after, the principal magistrates took an opportunity, in the name of the citizens, to lay before her their great poverty and distress, the effects of civil war and scarcity of provisions, praying to be eased a little of their taxes and heavy duties till a time of greater plenty; Maud, instead of giving them any relief, told them, with a countenance in which fury and disdain strove for the mastery, that since they had been so lavish of their money in supporting Stephen, it was the highest degree of insolence in them to expect any alleviation from her. In vain did the earl of Gloucester, and others of her faithful counsellors, represent the madness of such a procedure; her head was turned with power, and she looked upon all advice as an insult offered to her understanding and dignity.

The citizens were justly incensed and alarmed at this instance of pride and inflexibility in one who was on the point of ruling over them; they began to murmur loudly, and the nation in general to pity the distress of Stephen and his family: they thought they saw, and trembled at the prospect, the spirit of the first William that manifested itself

so early in the deportment of his grand-daughter, and heartily repented the steps they had taken in her favour.

The bishop of Winchester, from the whole of his conduct, seems not to have really intended his brother's deposition (as, indeed, it is not natural to suppose he could, if we consider things only in a political light), but only to temporize with Maud, after the battle of Lincoln, when she was ready to fall upon him with all her force, and he unable to make any defence, his castles being utterly unprovided: and being, as we have already observed, a person of profound dissimulation, he continued to act the same part whilst the kingdom appeared to be devoted to her, reserving himself, and the discovery of his views, for a more favourable time, when he might be able to serve himself and family by serving his brother. The present universal discontent, occasioned by Maud's impolitic carriage, afforded him the opportunity he wished for, and accordingly he left no means unturned to foment the popular disgust and blow it into the flames of sedition: in this he succeeded so effectually, that he prevailed upon the principal citizens of London to engage in a plot for seizing the person of the empress. The earl of Gloucester, who had spies every where, was soon apprized of the association entered into, and used all means in his power to soothe the citizens, and fix them in the interests of his sister; but finding all his endeavours vain, and that they had conceived an irreconcilable aversion to her, he persuaded her to secure her person by flight, and before the design against her was ripe for execution; accordingly the empress, the king of Scots, the earl of Gloucester, and all the nobles of their party, withdrew to Oxford. No sooner had she quitted the city, than the enraged inhabitants fell upon her palace and stripped it of all its rich furniture which she had not time to remove in her precipitate retreat.

Whilst the empress staid at Oxford, in order to assemble an army, the legate retired to his palace of Winchester, which he fortified, determined to wait, without declaring himself, for the issue of events. Maud, who was not unacquainted with his real intentions, had recourse to that dissimulation of which he had set her an example, and, without appearing to suspect him of having had an hand in the late plot, sent her brother, the earl of Gloucester, under pretence of paying him a visit, to sound how he stood affected to her interest, who quickly found how matters were, by the cool reception Henry gave him, and therefore returned to Oxford, to give the empress an account of his negotiation.

Upon this she put herself at the head of her troops, and, attended by Robert and the king of Scotland, proceeded to Winchester, and encamped within a short mile of that city, from whence she sent orders to the bishop, who was then in his palace, to repair to a council she was about to hold in her camp; but Henry, guessing at her intent, evasively answered the messengers, "Parabole me. — I will make myself ready;" which they mistaking for an intent to comply with the sum-

mons, retired into another apartment, when the legate took advantage of their absence to step out at a postern-gate, and make his escape; and repairing in all haste to London, directed his nephew Eustace to assemble the men of Kent and Surry, in which he was assisted by William de Ypres, the fast friend to Stephen and his family. This being done, the legate openly declared in favour of the deposed king, and very soon found himself at the head of a very respectable body of forces; when, without losing any time, he marched directly for Winchester, being accompanied by Stephen's son Eustace and his queen Matilda, and made such expedition that the empress and her friends had but just time to shut themselves up in the castle, which Henry instantly invested.

The care the bishop had taken to store the castle with all sorts of ammunition, rendered the siege very long and difficult, the empress and her party making shift to hold out seven weeks, though under great difficulties; when at length, having no other prospect before their eyes but that of perishing with hunger or surrendering themselves to the legate, a thought which carried something worse than death with it, it was determined to force themselves a passage with their swords, and to run all hazards to convey the empress to some place of safety. With this design they committed the custody of her person to the main body of their forces, under the command of Reginald, brother to the earl of Gloucester, while Robert himself, at the head of only two hundred chosen followers, sallied forth to amuse the besiegers, and secure the retreat of the empress. This stratagem had the desired effect, for the gallant earl of Gloucester and his valiant corps found the enemy so much employed by the vigorous manner in which they sustained this unequal fight, that the empress had time to reach the town of Luggershall, in Wiltshire. The noble efforts of Robert in behalf of his sister proved fatal to himself, for being pursued as far as Stowbridge, he was there taken, together with the earl of Warren, upon a bridge which they were endeavouring to pass, and being committed to the charge of William de Ypres, was by him conveyed to Rochester, in Kent, that place being entirely in the possession of king Stephen's friends.

In the mean time Maud, finding the castle of Luggershall too ill provided for defence for her to trust her person there, after having a while reposed her wearied limbs, she got on horseback in man's disguise, and continued her flight to the castle of the Devizes, and from thence to Gloucester*, where she was joined by Milo, who had long served her with great fidelity.

The legate finding one part of his project frustrated by the escape of the empress, resolved, if possible, to get the earl of Gloucester over to the side of the king. With this view he sent persons to offer him the government of the whole realm under Stephen, if he would embrace that prince's party. But all their solicitations, or even the consideration of the state he was in, could not for an instant warp the integrity of this truly great nobleman. At length, being brought under a guard to

* Brompton, an historian who delights much in the marvellous, cannot resist the itch of romancing on this occasion, but very gravely tells us, that her flight coming to the ears of the legate, he sent a body of horse after her, who scoured the country round to prevent her escape, till the main body should

come up; and that having intelligence of this, the empress, to escape captivity, caused herself to be put into a bier, in which she was safely conducted to Gloucester, without any one taking it into their heads to search such a vehicle.

Winchester, whither Stephen now came in full freedom, he was there exchanged for that monarch : and on this occasion they entertained each other with the most friendly discourse, mutually extolling one another's laudable qualities ; but at the same time openly declaring that each would maintain his interest against his antagonist so long as they had life or strength to wield the sword. This exchange happened about the end of September of this year, 1141, a year productive of the most surprising revolutions.

In the beginning of December following, Henry summoned a general synod of the clergy to meet at Westminster ; previous to which he had taken care to procure letters from the pope, in which his holiness blamed him for having so long neglected to restore his brother to the throne, and enjoined him for the future to use all his endeavours towards it, exhorting him to exert all power, ecclesiastical and secular, to accomplish the same.

These letters being read at the opening of the council, Stephen next appeared, and, in a set speech, complained of his imprisonment and the infidelity of his subjects, calling God to witness, at the same time, that he never willingly lent his hand to oppress his people, or ever denied them justice. The legate then entered into a vindication of his late conduct, and the frequent breach of his oaths : but this harangue proved very little satisfactory to the assembly, although they did not chuse to express their sentiments to the face of a person who had so great power both in ecclesiastical and civil affairs. Nevertheless, what the obsequious clergy, through a dastardly time-serving disposition, would not do, was amply made up by the courage and resolution of a lay deputy sent to the synod from the empress, who, standing up, entered a protest against the legate's proceedings, accused him of complicated perjury, affirming, " that it was upon his invitation, and his repeated letters, that the empress had come into England, having too readily trusted to his faithless promises : " nay, he had even the boldness to tell him, " that it was by his advice that his brother had met with such treatment ; " and farthermore charged him, " upon the faith he had sworn to the empress Maud as his sovereign and liege lady, to do nothing in that assembly against her title and dignity : " adding a great deal more, with no small acrimony of expression. To all which, however, the legate answered only by a profound silence, conscious guilt, or a policy beyond the depth of common comprehensions, sealing up his lips. The assembly soon after broke up, and their resolutions seem to have been highly in favour of the king. Before they rose, the legate denounced excommunication against the countess of Anjou and her adherents ; which struck every one with surprize and indignation, to find themselves liable to ecclesiastical censures so directly opposite to one another, according to the humour of this haughty priest.

Early in the year 1142, both parties prepared to pursue their operations with vigour ; but when the empress and her friends began to muster their forces, they found too late the ill effects which had been produced by the unseasonable pride and obstinacy of Maud : her party appeared considerably

thinned ; the warmth of those who yet remained in her interest was sensibly cooled ; and it was next to a certainty that she could never hope to ascend the throne by the voices or assistance of the common people. At the same time Stephen, now at liberty, exerted himself in the strongest manner, and with such success, that he soon became superior to those who had so lately had his destiny in their hands. In this unpromising situation of affairs, Maud summoned a council of her principal friends at the Devizes, where it was resolved to call in a foreign aid to their support, and the earl of Gloucester was dispatched over to the continent to engage the earl of Anjou to come over with forces to the assistance of his wife : but Robert found that prince so fully employed in adjusting the embroiled state of his affairs in Normandy, that he could not persuade him to fall in with his proposal ; and all that he could obtain from him was to send over his eldest son, Henry, with a reinforcement of four hundred men*.

While the earl of Gloucester was thus engaged on the other side of the water, the empress's affairs grew worse and worse, and she at length shut herself up in the castle of Oxford, where she resolved to remain till the arrival of those succours she expected from her husband. Stephen hearing of this, and being willing to take advantage of Robert's absence, and the low state of the adverse party, had marched suddenly against Wareham castle, which was commanded by the earl of Gloucester's son William, and took that fortress by surprize. After which, by long and hasty marches, he came before Oxford, and that so suddenly that the empress had but just time to retire into the castle, and the city was abandoned to the king, who immediately took possession of it ; and hoping to finish the war at one stroke, by making himself master of Matilda's person, he laid siege to the castle, and pushed his operations with so much vigour, that, after several unsuccessful sallies, the empress was reduced to the greatest extremity. In the mean time the earl of Gloucester arriving with prince Henry, and the body of forces from Normandy, landed in Dorsetshire, where he soon heard of the fate of Wareham castle, and the distressed situation of the empress. In order, therefore, if possible, to relieve her, by calling off the king's attention to another part, he laid siege to Wareham, which, not being sufficiently provided for a resistance, was soon reduced. Stephen, however, who had made a firm resolution not to suffer any event, in any other part of England, to draw him from the siege in which he was employed, pressed the garrison so hard that they were at length obliged to agree to a capitulation. Nevertheless, the success and presence of the earl of Gloucester and young prince Henry had a sensible effect in prejudice of Stephen's interest in those parts : several of his best troops deserted, and that in such numbers that he had not sufficient forces to surround the castle entirely, so that the empress found means to escape, with a few of her women, through one of the postern-gates. It was now the dead of winter, the ground was covered with snow, and the waters of the Thames were entirely frozen : availing herself of this circumstance, she and her attendants dressed themselves in

* A reader of the least discernment will readily perceive that this prince had always a dislike to meddle with the affairs in England. His and his wife's long inactivity after the death of

Henry I. is a glaring proof of this ; and his suffering the empress to prosecute the war here at the head of her armies can be accounted for from no other principle.

white, in order to deceive the centinels, and in this manner passed the Thames on the ice, and walked above six miles on foot, the snow beating all the way in their faces, till they came to Abingdon, where the empress took horses, and rode that same night to Wallingford.

Immediately upon her departure the castle of Oxford surrendered; but Stephen was not a little mortified to find the fruits of all his pains and perseverance thus snatched out of his very grasp, and regarding the taking of Oxford as matter of little concern, since he had not got Matilda in his power, he retired in a discontented mood to London, to recruit his forces, as also to be present at a council held there at that time by his brother the legate.

The news of the empress's lucky escape soon reached the ears of the earl of Gloucester and prince Henry, who were just preparing to march towards Oxford, and at all events endeavour to raise the siege; but now they bent their route to Wallingford, where they found the empress, and the sight of her darling son blotted out for a time all remembrance of her past sufferings*.

In the beginning of the year 1143, Stephen again took the field, and opened the campaign by marching against Salisbury, the principal city of Wiltshire, then in the hands of the empress; and, in order to straiten the enemy for room, as also to secure a place of retreat for himself on any occasion, he seized upon the monastery of Wilton, where he took up his quarters, together with the legate who accompanied him in this expedition, and who had given his sanction to this act. Here they thought themselves in full security; but the earl of Gloucester, of whom it is difficult to say whether he excelled most in valour or in that of activity and a happy presence of mind, which is so essential to a good general, on receiving intelligence of what Stephen had done, assembled a body of forces, and marching with great secrecy and expedition, came suddenly before the monastery a little before sunset, set fire to it in three different places, and then making the attack sword in hand, those who defended it were put to flight after a very little opposition: the king himself, who never dreamed of the earl of Gloucester's being near him till the action began, would certainly have been taken, had he not fled with his brother, the bishop of Winchester, in so much hurry that he left his plate, furniture, and equipage as a spoil to the enemy. A great number of prisoners were taken, and among the rest William Martel, the only person of distinction that had stood his ground for any time in the engagement. This nobleman had been chief butler to the late king, and had the post of steward of the household under Stephen, whose favourite and faithful servant he was. Upon falling into the earl of Gloucester's hands, he was obliged to give up the strong castle of Sherborne, of which he was governor, for his ransom.

During these transactions in England, Geoffrey Plantagenet, notwithstanding his treaty with Stephen, renewed his claim to the duchy of Normandy, in right of the empress his wife; and, after various successes, entirely reduced that province,

which now fell under the dominion of the Anjou-vingian race, and Geoffrey took the title of duke of Normandy.

Towards the close of this year, the empress suffered a considerable loss by the death of Milo, earl of Hereford, the great pillar of her cause, who, being excommunicated by the bishop of Winchester, was afterwards slain by one of his own domestics†. On the other hand, Stephen met with a mortification, which affected him full as much as this did the empress, his brother, the bishop of Winchester, being deprived of his legatine authority, which had enabled him to direct the resolutions of the prelates, to govern the clergy, and turn the minds of the populace as he pleased‡.

Stephen by this event lost much of his power over the clergy, and therefore thought to obtain an equivalent by increasing it over the laity. With this view he had recourse to a step, which, however it may be justified by the necessities of state, and the over-grown power of many of the great nobles, was certainly impolitic, and was attended with some circumstances that do no great honour to the integrity of his heart. He could not, without great uneasiness and resentment, behold the mischiefs arising from the number of castles belonging to the great vassals of the crown, the lords or governors of which exercised the most unsufferable oppressions upon the inhabitants of the country round about them; and he imagined that he should have the voice of the greatest part of the nation with him, if he could get these strong holds into his own possession. Accordingly he began with Geoffrey de Magneville, a nobleman superior to most others both in wealth and dignity, being governor of the Tower and forts about London, and Stephen's lieutenant in most parts of the kingdom subject to his rule, and had also been created earl of Essex by him: but now, upon a pretext, or real intelligence of his employing his services secretly in favour of the empress, Stephen ordered him to be arrested and thrown into prison, from whence he was obliged to purchase his releasement by delivering up the Tower of London and his castles of Malden and of Pleshy, near Dunmow, in Essex.

Whatever might have been Geoffrey's principles previous to this indignity put upon him, he now declared himself the open enemy of Stephen, and friend to the empress and her cause; who, in order to bind him more strongly to her, renewed his title of earl of Essex, and appointed him hereditary high-sheriff of London, Middlesex, and Hertfordshire. Geoffrey repaid these marks of favour by many signal services which he rendered her during the course of her wars with Stephen, till at last he was killed at the siege of Barwell castle, in Cambridgeshire.

About the beginning of the year 1144, Stephen laid siege to the city of Lincoln, then held by Ralph, earl of Chester; but not being able to carry the place, he retired to London. The rest of this year passed in little skirmishes of no consequence, as did also the ensuing one, 1145, excepting that the castle of Faringdon, in Berkshire, was taken by the king's forces; after which he laid siege to

* Here ends the History of William of Malmesbury, one of the most exact and judicious writers of those days, and whose authority we have chiefly consulted in the foregoing pages.

† This nobleman was the first earl in England who had ever been created so by a formal patent, which was passed at Ox-

ford. See Selden's Works, p. 681. and Rymer's Fœdera, tom. i. p. 8.

‡ He was deprived of this power by pope Celestine II. who, upon his accession to the papal chair, bestowed it upon Theobald, archbishop of Canterbury.

the castle of Wallingford, which held out all that year.

A. D. 1146, Stephen despairing of being able to reduce this strong fortress by a regular siege, turned it into a blockade, by building wooden forts round it. It was during this siege that an affair happened with Ralph, earl of Chester, of which we have the following account in the author of the *Gesta Reg. Stephani*. This earl having, in the course of the last year, made his peace with Stephen, matters were seemingly upon an amicable footing between them; but Stephen holding his court at Northampton, in the August of that year, the earl repaired thither, without having any suspicion: but having, during his stay, represented to Stephen the expediency of sending a body of forces to curb the insolence of the Welsh, who were continually committing outrages upon the borderers; and offering to be himself at the expence of the armament sent for this purpose, the king began to entertain a jealousy that he wanted to set up for independency; and that, if he should trust him with an army, he might turn it against himself; therefore he demanded of the earl, that, previous to any step of that kind, he should deliver his castles into the hands of the crown. Ralph, surprized at this demand, replied, "that what he had proposed had been purely from a view to serve the king; that it was a very cruel return to his loyalty; and that he could not consent to such a delivery, without first consulting his friends." Upon this refusal, a charge of high treason was immediately exhibited against him, and his person was taken into custody: at last, upon his complying with the king's demands, and delivering into his hands the strong castle and city of Lincoln, with all the other places he held in England, and giving his nephew, Gilbert de Clare, as a pledge for his peaceable behaviour, he got his release-ment.

The next year, 1147, young prince Henry returned to Normandy, being sent for over by his father, Geoffrey Plantagenet; and soon after the great earl of Gloucester died of a fever, in his city of Gloucester, and was buried at Bristol. In him the empress lost, perhaps, the only person who had served her without views of interest; at least, the only one that deserved her entire confidence: this melancholy event happened on the thirty-first of October, 1147. Stephen kept his Christmas this year at Lincoln, which he had now in his possession; and as it was customary for an English king to wear the regalia on all high festivals, Stephen appeared in his crown on this occasion, notwithstanding a prophecy (as it was called) denouncing death, or some dreadful calamity, to any prince who should wear a crown in that city; but Stephen had too much greatness of soul to be intimidated by such superstitious stories.

The empress Maud having lost her two chief counsellors and most faithful friends, the earls of Gloucester and Hereford, and plainly perceiving that she should not be able to stand her ground much longer, left England and retired to Normandy after the prince her son. It is said, that she did this at the earnest intreaty of her husband, the earl of Anjou, who thought it little less than madness to expose either himself or family to continual danger in attempting to wrest the sceptre out of the hands of a prince, in which it seemed to be too well fixed.

Upon the retreat of the empress, Stephen found himself in peaceable possession of the crown, and began to flatter himself with tasting the sweets of a tranquil reign; but the event did not answer his wish: a new rival was preparing to dispute the crown with him, and he soon became sensible that the calm with which he had flattered himself, was to be of but short duration.

Henry, the eldest son of Matilda, by Geoffrey Plantagenet, earl of Anjou, a prince of fourteen years of age only, at this time, but old enough to know himself for the undisputed heir of the first Henry, burning with a noble ardour to revenge the injustice which he thought had been done to his mother by Stephen's seizing upon the crown, determined to assert his right to the succession; sensible that there were many of the old English, however displeased they might have been with the behaviour of his mother, who still regarded him as the object of their wishes for filling the throne of this kingdom after the demise of Stephen. Warmed with the glorious prospect of royalty, he had repeatedly applied to his father to put him at the head of an army, to make good his claim: at length he complied with his request, and, in the year 1149, he landed in England, with an handful of men only (being no more than one hundred and forty horse and three thousand foot), but sufficient to revive the drooping spirits of the empress's party by the presence of the next heir to the crown, and who waited only for a favourable opportunity to declare themselves again.

Previous to his leaving Normandy to engage in this expedition, young Henry had, by the advice of prudent counsellors, carried on a correspondence with his great-uncle, David, king of Scots; and now his first business was to have an interview with that monarch, who lay with an army of observation at Carlisle, prepared to act according to the circumstances of the times. The Scottish prince received our young adventurer with all possible demonstrations of cordiality and esteem, and conferred the honour of knighthood on him. His name-sake Henry, prince-royal of Scotland, with the earls of Chester and Hereford, and several other of the nobility, both English and Scotch, assisted at the ceremony, which was performed with great pomp and solemnity, on Whitsunday, May 22, 1149.

Stephen was no sooner apprized of these proceedings, than, justly alarmed for the consequences, he assembled a powerful army, and marched northwards, determined to give Henry and the king of Scots battle, and, if possible, to crush the dreaded rebellion in its infancy. However, finding things tolerably quiet, Stephen was not over-fond of hazarding the event of a battle, or wasting the strength of his forces without an absolute necessity: he encamped in the neighbourhood of York; and David having advanced further into Northumberland, both armies continued almost facing each other during the whole summer; and when the approach of the winter-season made it impossible longer to keep the field, drew off again, without coming to an action.

Next year, which was 1150, Henry was recalled by his father the earl of Anjou, who finding himself near his end, and desirous to settle the succession of his dominions upon the surest footing, invested young Henry with the honours and revenues of the duchy. Lewis the Young, then king of

France,

France, incensed at this resignation made without his assent, who was sovereign lord of the fief, invaded Normandy, and laid siege to the citadel of Arques. Henry immediately went and laid siege to the castle of Tournon, in France, by way of diversion. His design succeeded; Lewis advancing to the relief of the place, which was on the point of being taken. At length a peace was concluded between the adverse parties, and Lewis gave Henry the investiture of Normandy. Soon after, Geoffrey, earl of Anjou, dying, Henry was left in possession of Normandy and Anjou, and saw himself the most powerful subject in France: but an unforeseen event happened soon after, which added greatly to that power.

The frenzy of crusading had again invaded the Christian world in the year 1146, through the preaching of St. Bernard, abbot of Clerval†. Conrad, emperor of Germany, and Lewis, king of France, had taken up the cross. After a very unsuccessful expedition, Lewis returned home; and thinking that he had not been well used by his wife, Eleanor, who was heiress of Guienne and Poitou, he resolved to take revenge for the injury that he thought he had sustained, an injury of the most exasperating nature: tired with accompanying him in these famous and unfortunate crusades, in which he was engaged, she had made herself amends, to use her own expression, for the tedious hours she was obliged to spend with a king, who was fitter to be a monk. This coming to the king's knowledge, he annulled his marriage under pretence of consanguinity, in order to spare himself the confusion of publishing the true cause. The divorce was accordingly pronounced at Beaujenci, in a council called expressly on the occasion, on Tuesday before Palm Sunday; and Lewis, by a stretch of romantic generosity, gave her back all the vast possessions she had brought him. The slur which

had been thrown upon her reputation * seems, however, to have done her very little prejudice: her beauty and riches were powerful considerations, and Theobald, count of Blois, and young Henry both made their addresses to her; the latter proved the object of her choice, and he being less difficult than Lewis of France, thought it no disgrace to marry a gay lady, who brought him the provinces of Guienne, Poitou, and Xaintonge for her dowry. In a word, their nuptials were solemnized with extraordinary magnificence, at Bourdeaux, the Whitsuntide after the sentence of divorce had been pronounced between her and her former lord king Lewis. Theobald, count of Blois, upon finding his suit rejected, was extremely chagrined: he had it seems actually laid a plot to surprize the person of the young widow and force her to an alliance; but having discovered his design, she luckily escaped the snare.

Henry by this marriage added to his former dominions most of the provinces of France, lying between the river Loire and the Pyrenees, which Lewis had meant to descend to the two daughters he had by Eleonora, or purposed to annex to the crown. Vexed at his own folly, and jealous of Henry's great accession of power, he entered into an alliance with Stephen, Theobald count of Blois, and Geoffrey of Anjou, Henry's younger brother, to strip him of all his dominions. With this view Lewis, with his brother the count of Evreux, Eustace, Stephen's son, and Robert, count de la Perche, invaded Normandy, and besieged Neufmarché, between Gournay and Gisors, while Geoffrey remained in Anjou, to stir up an insurrection there. Henry, thus powerfully attacked, instead of being daunted, seemed to receive new spirits and vigour from the strength of his opposers. He immediately advanced to Barfleur, and, dividing his forces, sent one part to guard Normandy, while he himself, at

† It may not be unentertaining to the reader to find a description of this crusade, as given us by the celebrated Voltaire, in his *Essay upon General History*; we have therefore subjoined it in a note; and the more readily, as some part of it will be found to have a connection with the following pages.

"The Christians (says he) began to grow every day weaker in those countries which they had conquered: the first conquerors were no more. The little kingdom of Edissa had already been taken by the Turks, in 1140. And Jerusalem itself was now threatened; and the Christians of Asia, ready to be overpowered on every side, solicited Europe for a new crusade.

"The French had begun the first inundation, therefore they were applied to, in order to make a second. Pope Eugenius III. who had been a disciple of St. Bernard, the founder of the order of Clervaux, very prudently pitched upon his quondam master to be the instrument of a new depopulation. Never did gown-man better reconcile the hurry of business with the austerity of his profession, nor had any one ever attained to so high a degree of personal respect, which is ever superior even to authority. His fellow-student, the abbot Sugarius, or Suger, was prime minister of France, and his disciple was pope; but Bernard, though no more than abbot of Clervaux, was the oracle, not only of France, but of all Europe.

"In the year 1146, a scaffold was erected in the public market-place at Vezelai, in Burgundy; there Bernard appeared, having by his side Lewis the Young, king of France. He harangued the people; the king seconded him, and was the first who took the cross from the hands of St. Bernard. The example of the prince was followed by all present. Suger, the prime minister, would fain have persuaded the king to stay at home, and govern his kingdom in a wise and prudent manner rather than ramble abroad in search of precarious conquests; but the eloquence of St. Bernard, and the prevailing spirit of the times, without which that eloquence would have been nothing, carried it against the wholesome advice of the minister. Lewis's young wife, Eleanor of Guienne, engaged to accompany him in this crusade, either from the affection she bore

him, or that the customs of those times made it a point of decency to follow her husband to such kind of wars. St. Bernard had acquired so extraordinary a reputation in this affair, that, in another assembly held at Chartres, he was unanimously chosen chief of the crusade. This may appear almost incredible, but every thing is to be believed of the religious frenzy of the populace. St. Bernard, however, had too much understanding to expose himself to the ridicule which would have attended a step of this kind; he therefore wisely refused the office of general, and contented himself with that of prophet; and in this character he sent the red cross to the emperor Conrad III. making him at the same time a positive promise, in the name of God, that he should prove victorious over the Infidels.

"The prospect of certain victory drew after the emperor and the king of France the greatest part of the knights in their dominions, who carried with them most of their vassals and dependents. This second emigration is said to have consisted of no less than three hundred thousand souls; which, added to one million three hundred thousand sent before, makes the whole one million six hundred thousand persons thus transplanted from their native countries. It is natural to suppose, that, of so great a multitude, numbers must have been carried off upon change of climate; this, added to intemperance, produced a mortality in Conrad's army, which occasioned the report that was spread through the West, of the Greeks having poisoned the wells and fountains.

"The conclusion of the whole enterprize was, that the emperor Conrad returned almost alone to Germany; and Lewis carried back with him to France only his wife and a few of his courtiers. A thousand ruined families in vain exclaimed against St. Bernard for his prophecies: he excused himself upon the example of Moses, with whom he compared himself, and who, like him, he said, had promised the Israelites, in God's name, to conduct them into a happy country, and yet beheld the first generation perish in the deserts."

See Smollett's Translation of Voltaire, vol. ii. ch. 42.

* She was suspected of an amour with a young Saracen.

the head of the other, fell upon the French Vexin, which he ravaged with fire and sword. This gave the army of the confederates so powerful a diversion, that Lewis was obliged to withdraw his forces to provide for the defence of his own dominions. After this, Henry passing into the territories of his brother Geoffrey, compelled him in a short time to renounce the unnatural alliance he had entered into, and to embrace terms of reconciliation.

Whilst these things were transacting against Henry in Normandy, his succession to the crown of England was no less powerfully attacked here; for Stephen, taking advantage of the league formed against this prince, had got Lewis once more to invest his son Eustace with the duchy of Normandy; and now, about the year 1152, he endeavoured to bring the English to agree to a proposal he made them of recognizing his son Eustace king of England, and to crown him beforehand: but he met with a most powerful opposition in the prosecution of this design, and from a quarter he little suspected. Theobald, archbishop of Canterbury, who had been invested with the legatine power, flatly refused to crown the young prince; and the reason he gave for his noncompliance was still more offensive than the refusal itself. He told Stephen in plain terms, that the pope had positively forbidden him to crown the son of a king, who, contrary to his oath, had usurped the kingdom, to the prejudice of the lawful heir. The king, highly incensed (and indeed with good reason) at the insolence of the prelate, ordered him to be confined; but, having probably found means to corrupt his guards, he escaped out of the house where he was kept prisoner, and got over to the continent, to the no small vexation of Stephen, who thus found all his projects for securing the succession in his family, baffled by the flight of the archbishop, who was looked upon to have an unalienable right to crown the kings of England†.

Henry having by this time settled his Norman affairs to his satisfaction, resolved upon prosecuting those in England; and accordingly came over with a small force, and landed on the sixth of January, when his army was quickly increased by the greatest part of the most respectable nobility of the kingdom. Though it was now the middle of winter, this active prince resolved not to lose any time, and therefore advanced to the siege of Malmesbury, and took the town before Stephen had advice of his having sat down before it; but the castle, which in those days was deemed an impregnable fortification, held out for some time, under the command of one Jordan, its governor; and Stephen was now hastening by long marches to come up with the enemy, and oblige them to raise the siege, or come to a battle; but the great severity of the season, and the badness of the roads, were such obstacles to his progress, that he was got no farther than Cirencester when he received news of the castle's having surrendered to Henry. Robert, earl of Leicester, now came in person to offer his service to the duke of Normandy; Gundreda, countess of Norwich, put him in possession of her strong castle; and Reading, with above thirty other fortresses, submitted without resistance.

The duke then marched to the relief of Wallingford, which was still closely pushed by the forces which Stephen had left before it. Here he attacked the forces, which formed the blockade, in the most furious manner, and met with as gallant a resistance; however, he found means to open a communication between his army and the castle. All this while Stephen, in defiance of weather and season, was employed in reinforcing his army, which being now become much superior to that of the duke, he came up with him, after a most tedious march, and within sight of the place, with a full resolution to raise the siege, or compel Henry to fight him. The duke no sooner beheld the royal army approaching, than, exerting all his courage and activity, and animating his soldiers by his example, he gave such a furious and unexpected assault to the chief fort, that in a short time they carried it sword in hand, and effectually relieved the place: and not content with this, he drew out his forces next day, at some distance from the castle, in order of battle, regardless of the superior numbers he had to encounter.

Stephen, on his side, beheld this ardour of his youthful adversary as an earnest of his own success; he doubted not but Henry, flushed with his late advantage, would set no bounds to his martial impetuosity, but rush headlong upon his own destruction: but herein he seems to have been mistaken in the young prince; his confidence was the result of a private correspondence with most of the principal leaders in Stephen's army, whom he knew to be averse to sheathe their swords in the bowels of their countrymen and relations, and to be moreover well affected to his cause.

The two armies were almost close to each other, and every thing was ready to begin the action, when the nobles in Stephen's army, with the earl of Arundel at their head, desired a conference with Stephen, in which they gave him to understand, "that they were heartily tired with the continual state of warfare in which they had lived ever since his accession to the crown; that it would be an everlasting blot upon their names, should they persist to embroil their hands in each other's blood, to gratify the ambition of two men: that it was beyond any doubt that Henry had the right of succession on his side; and therefore that it would be better to put an end to civil discord, and the sufferings of the nation, and to restore peace to a desolated land by a mutual compromise between the two parties, and their agreeing to live and reign together in amity and union." Stephen in vain remonstrated against this prudent and seasonable advice; he saw it confirmed by the looks of all his soldiers, and repeated by a general murmur through the ranks; giving way, therefore, to a torrent he could no longer oppose with safety to himself, he consented to have an interview with Henry, and a messenger was dispatched to the duke's army with the proposal; the noblemen, and all the rest of the king's party, having first sworn to abide by whatever terms should be agreed to, between the two princes.

Henry, though undoubtedly at the bottom of all this, affected great surprize at receiving such a

† According to some authors, however, he gained his point in part, by the temporal nobility taking an oath of fealty to Eustace. This year Stephen lost his wife Matilda, a princess

of great prudence and conjugal virtue, who had been exceedingly useful to him in all the difficulties of his affairs. She died May 3, 1152, and was buried in the abbey of Feversham.

message at a time, when, he said, he expected no other than an instant and bloody contest in the field of battle: at length, however, he suffered himself to be prevailed on, and repaired to the place appointed, where Stephen and he had a long conference by themselves; after which they returned to their respective camps, and a cessation of arms was proclaimed in both armies: the soldiers, by their repeated shouts, demonstrating their mutual joy at at this unlooked-for and happy event.

But while pleasure expanded the hearts of those who saw themselves thus delivered from the cruel necessity of slaughtering their nearest friends and kindred, the soul of Eustace was a prey to the most bitter reflections. He was well assured that no treaty could exist between his father and a prince of Henry's ambition, but what must have the ruin of his hopes for its basis; and he could not, with any degree of patience, behold a sceptre, which he already grasped in idea, struck from his hand in one luckless moment. He vented his griefs in the warmest expostulations with his father, for having thus abandoned the rights of his family. Stephen felt as a parent, but knew that it was in vain to dispute against his wayward fate; he endeavoured to soothe the passions of his son; but, abandoned to rage and despair, he left the court, and went to Cambridge, where he raised a body of independent troops, with which he resolved to ravage the country round about, without sparing age or sex, or the most sacred edifices. In this disposition he marched as far as St. Edmundsbury, where he was overtaken by a sudden death, probably the effect of the violent agitations which his mind and body had undergone. He was buried at Feverham, near the remains of his excellent mother, few of whose virtues he appears to have inherited.

The time limited for the cessation of arms being now expired, each party again commenced hostilities. Henry reduced the castles of Stamford and Nottingham; while Stephen made himself master of Ipswich, belonging to Hugh Bigod, earl of Norfolk, who still remained his declared enemy.

At length, Stephen wearied out with a contest, which he plainly saw could never end in his favour, and having lost his wife and eldest son, as also most of those who had been staunch in his interest, particularly Simon, earl of Northampton, and seeing himself abandoned by the rest, he began in earnest to think of coming to an accommodation with duke Henry. In this disposition he was not a little encouraged by the sentiments of his brother, the bishop of Winchester, whose ambition was now thoroughly mortified, and who joining with Theobald, archbishop of Canterbury, who had by this time returned to England, they laboured so heartily to bring about the salutary work of peace, that at length a conference was appointed to be held at Wallingford between the king and duke Henry. Several proposals were made and rejected on both sides; the main obstacle was Stephen's insisting upon having the succession settled on his surviving son William, to which Henry would by no means consent. He was willing that Stephen should enjoy the crown during his life, and thought he made no small concession in obliging himself not to give any disturbance to a rival who was not yet

fifty years of age. In fine, after much canvassing these matters, Stephen, reflecting on the little confidence he could put in the great barons for supporting the interests of his family, and sensible that his son William had few or none of the qualities fit for holding the reins of government, he consented to a peace as proposed by Henry; upon which it was agreed to call a great council of the nobility, both spiritual and temporal, at Winchester, where the whole was to be finally ratified.

Accordingly, the council being assembled in the latter end of November in this year, 1153, the terms of accommodation were declared to be as follow:

"That Stephen should reign as king during his life; and Henry should succeed him, as lawful heir by hereditary right.

"That William, Stephen's son, should have all the lands which his father possessed, in England and Normandy, before his accession to the English throne; with the honours of the late William Warren (whose daughter and heiress he had married), Richard de l'Aigle's share of the honour of Pevensey, and seven hundred pounds per annum in Norfolk; and should do homage, and give securities or hostages for his fidelity to Henry.

"That the inhabitants of cities, garrisons, and castles, subject to Stephen, should do the same.

"That the Tower of London and castle of Windsor should be put into the hands of William de Tracey, who was to swear, and give his son for an hostage, that he would deliver them to Henry after Stephen's decease; and that the castle of Oxford should be entrusted to Roger de Lacey, and that of Lincoln to Jordan de Buselo, on the like security; which was to be given also by all future governors of those places; and by the bishop of Winchester, for the delivery of the castles of Winchester and Southampton.

"That justice should be administered in Stephen's name, through Henry's part of the realm as well as his own; but in the affairs of the kingdom, the first should act by Henry's advice.

"All the prelates, earls, and barons are to take an oath for the observance of this agreement; and the bishops shall pass ecclesiastical censures on whoever shall infringe it in any respect, which sentence shall remain upon him till he do reform his conduct†."

As soon as this treaty was signed, the two princes made their public appearance together, and came to London, in order for Henry's receiving the fealty of the citizens. Here they were received with the greatest demonstrations of joy by the people, who now thought they saw an happy end of their miseries, and of the general troubles and confusion. After a short stay, Henry parted, to keep his Christmas in another part of the kingdom, among his friends: but the king and he met again at Oxford, on January 13, 1154, when a great council was held, in which the principal nobles of England did homage to Henry, and swore fealty to him as their future lord, with a reservation of obedience to Stephen during his natural life.

While these matters were in agitation, death took out of the world David, king of Scots, having before lost his eldest hope, Henry, the prince-royal. He

† Rymer's *Fœdera*, tome i. p. 14. This agreement was recited and confirmed by Stephen, in a charter, or declaration under his great seal; which may be found in Brompton's Chro-

nicle, p. 1037, 1038. and was directed to all the faithful people of England.

died at Carlisle, on the twenty-fourth of May, after a reign of twenty-nine years, two months, and three days, and was buried at Dunfermling, with all royal pomp, leaving behind him the character of an able statesman, a faithful friend, a formidable enemy, and a liberal patron to the church. This latter qualification has, indeed, occasioned the priests and monks to lavish on him encomiums, which, as they were not his due, have prejudiced him in the opinions of many, who, while they deservedly laugh at his countrymen for extolling him as the greatest warrior and hero of his age, and inferior to few of antiquity, forget to do that justice to his real virtues which they confessedly deserved.

Stephen employed the leisure hours of restored tranquility in making a progress through England, during which he reformed all abuses, issued several wise and wholesome edicts, and, in a word, gave so many proofs of his great abilities and love of justice, as made his subjects regret that the former years of his reign had been so disturbed by civil commotions, as not to allow him, with safety to himself, to exert those qualities which now shone forth conspicuous, to the general advantage; and, if we compare this part of his reign with the preceding ones, we must be obliged to confess, that many of those acts which wore the appearance of oppression and an arbitrary exertion of his power, were forced from him by the peculiar exigencies of the times, and that the steps he took to curb the over-grown insolence of the great barons, and the clergy, were warranted by sound policy, however unseasonable, or perhaps too rigorous, they might be at the instant of putting them in practice; but now that he no longer had any thing to contend for, he seems to have determined to devote the close of his life and government to the ease and benefit of his subjects, and to have manifested a parental desire of recompensing them for their past sufferings by every regulation that was best fitted to secure their properties, protect their persons, and diffuse universal harmony and tranquility through the land.

Nevertheless, it happened then as it ever has, and ever will, in all states; some few persons, who found their interest in the distresses of their country, and who had lived chiefly upon the fruits of plunder and desolation, during the late times of general anarchy and confusion, thinking their occupation now at an end by the good understanding that subsisted between the king and the duke, used all their endeavours to kindle a jealousy between them, though not with that success which they hoped, or expected. However, an accident fell out at this time, which, for a while, promised to blow the flames of discord higher than ever. Theodoric, earl of Flanders, and his countess, coming over to England upon some business, the king and Henry set out together to receive them at Dover: in the height of the feasting made to welcome these princely guests, advice was privately sent to Henry, that a plot was formed for poisoning him at an entertainment, and to set up William, the king's son, who was said to be in the conspiracy, in his stead. It happened, however, just at this juncture, that prince William, riding along Barham Downs, was thrown from his horse, and fractured his leg, which accident is said to have disconcerted the designs of the conspirators.

But notwithstanding that the Norman Chronicles, Gervase, and Henry of Huntingdon, all agree in this story, and add moreover, that William de Ypres, whom king Stephen had lately made earl of Kent, with a number of Flemings who had settled in that county, under the protection of this nobleman, who was their countryman, had engaged to way-lay prince Henry, and put him to death with their swords if the other method did not succeed; nevertheless the whole seems to be of doubtful credit, inasmuch as we find Henry, immediately after his reception of the earl of Flanders, going over to Normandy; which no man in his senses would, in his situation, have done, without taking some steps towards a detection of the plot, that the accomplices might be punished, especially when he could not but know what powerful adherents he had in this kingdom, who would have stirred heaven and earth to revenge such a flagrant instance of treachery, however the abettors of this report may represent his leaving the kingdom, as the effect of that diffidence which Henry conceived on this occasion of Stephen, his family, and friends.

The real cause of his going over to Normandy at this time, was his having received advice that the king of France had invaded that duchy, and got possession of Vernon; he therefore thought his presence necessary there, in order to stop the progress of his enemy's arms, which he did in a very short time; and the king of France finding that he could do nothing of any moment against such a vigorous and active adversary as Henry, wisely consented to a peace, and restored the places he had taken, on being paid the expence he had been at in fortifying them.

The latter end of this year Stephen made another journey to Dover, in order to confer with the count of Flanders, in relation to some of his estates on the continent. At his return from this visit he was seized with a violent fit of the iliac passion, which, baffling all the art of medicine, carried him off, on the twenty-fifth of October, 1154; and his body was interred by that of his queen Matilda, in the abbey of Feversham, which he himself had founded.

Stephen was a prince of great fortitude, courage, and activity, and might have reigned with the approbation of his people, had he swayed the sceptre in less troublesome times. Ambition was the noble failing of his soul; and if in the pursuit of this darling object, he might at times have deviated from the stricter rules of equity and moderation, unhappily he stands not alone in the annals of the princes of the world. His generosity and greatness of soul were sufficiently conspicuous in his never taking revenge upon those who deserted him in his distress, even after he had burst through the clouds of adversity and shone again in the zenith of power. His valour was witnessed by thousands, who fought for or against him; and in answer to the charge of perjury, brought against him in the case of the empress Maud, to whom he had sworn allegiance, let it be considered, that her total neglect of the English succession upon the death of Henry I. to which she, for a considerable time, did not prosecute her claim, and the readiness which the English, left without an head, shewed to place Stephen upon the vacant throne, was a temptation that the virtue of few princes would have been proof against. In a word, though I would not wish to

plead for treachery or the breach of vows, on the most flattering prospect; yet I must confess myself an advocate for human nature, and, in consideration of the numerous frailties inherent to it, think that a few public virtues are more than a counterpoise for many private errors: how far the public may accept of this in excuse or alleviation of Stephen's conduct, I know not; thus much, however, is certain, that he seems to have been possessed of many great and amiable qualities; and, had he lived in happier times, he might possibly have been transmitted to posterity as one of the most illustrious monarchs that ever filled the English throne.

The marriage and issue of this prince were as follow.

Matilda, or Maud, the wife of king Stephen, was the daughter of Eustace, earl of Boulogne, by Mary, sister to Matilda queen of Henry I. By her he had,

1. Baldwin, his eldest son, who was born in the reign of king Henry, his father's uncle, and died in his infancy.

2. Eustace, his second son, and heir apparent of both him and his wife Matilda, was created earl of Boulogne when his father was made king, that dignity being the inheritance of his mother. He married Constance, sister of Lewis VII. king of France, and daughter of Lewis the Fat. He died on the 10th of August, 1152.

3. William, his third and youngest son, married Isabella, daughter and heir of William Warren, the third earl of Surry, with whom he had that earldom. After his father's death, king Henry II. made him a knight, resumed those honours that he held of the crown, and restored him to all that his father had before he was king, namely the honours of Boulogne, Surry, and Mortaigne. He died without issue in October, 1160, being the seventh of king Henry's reign.

4. Matilda, his eldest daughter. She was born before he was king, and in the reign of his uncle Henry I. in whose time she also deceased, very young.

5. Mary, who was a nun and abbess of the monastery of Rumsey, in Hants, from whence she was privately taken by Matthew, younger son of the

earl of Alsace; and after ten years cohabitation they were divorced by sentence of the pope, and the lady obliged to return to her monastery.

Stephen's natural issue were,

1. William, by some mistaken for the same William that was earl of Boulogne: others again will have it that Stephen had no other son named William but the lawful one. To ascertain this matter, we need no better authority than that of William, earl of Boulogne, himself, who, in an ancient charter of his, still extant, names this William as a witness, and calls him his brother.

2. Gervase, begotten on a gentlewoman named Damietta, and born in Normandy. He was brought into England by his father, in the year 1140, the fifth of his reign, who made him the same year abbot of Westminster, which he retained for the space of twenty years, and died and was buried in that abbey, in the sixth year of the reign of Henry II. 1169.

As to the remarkable occurrences of this reign, we find them thus recorded.

On the very day that Stephen landed in England to put up for the crown, there happened a most terrible and fearful storm of thunder and lightning, which falling out in the winter season, was considered by the people as an omen of the troublesome reign of their new sovereign.

In his fourteenth there fell so much rain in the summer season, that all the fruits of the earth were spoiled, and there ensued a grievous dearth. On the ninth of December it began to freeze, and the frost held till the ninth of February, in which time the Thames was entirely bound up, so as to give free passage for man and horse on the ice.

William of Malmesbury writes, that on the twenty-first of March, 1140, early in the morning there was so great an eclipse of the sun, that men were forced to light candles to eat their meat by; and the same author adds, that those who sat at the table where he was, feared the return of the ancient chaos, for several stars were perceived near the sun. A sufficient proof this, of the little progress the sciences had made in this island in those days.

Engrav'd for
MORTIMER's
History of England



KING
HENRY. 2^d

S. Wale delin^t

C. Grignon sculp^t

T H E
H I S T O R Y
O F
E N G L A N D.

F R O M

The RESTORATION of the SAXON LINE under King HENRY II. to the
Death of King JOHN.

P A R T V.

H E N R Y II. A. D. 1154.

HENRY was busied in settling his affairs in Normandy when he received advice of Stephen's death; but as he knew he had no opposition to apprehend in England; he was in no haste to come over, and therefore staid till he had reduced the town which he was besieging; and then leaving Normandy, he landed safely at Hurst castle, near the Isle of Wight, on the eighth of December, from whence he immediately proceeded to Winchester, where he received the homage and fealty of the nobility, and on the nineteenth of the same month was crowned at London, with his queen Eleanor, by the hands of Theobald, archbishop of Canterbury, with the unanimous applause of the English of all ranks, who were so charmed with the specious calm they at present enjoyed, after the manifold miseries they had suffered, that they strove who should be foremost in their demonstrations of affection for their new sovereign. This tranquility, however, proved only like the slumbers of a person worn out with a long and painful distemper, rather a recess from suffering, than an annihilation of the malady. This Henry plainly perceived, and therefore he made it his first business, after his accession to the throne, to guard his infant government against the expected attacks upon its tranquility.

As soon as his coronation was over, he retired to the abbey of Bermondsey, to keep his Christmas, where he also held a council to deliberate on the most effectual means for redressing the disorders and grievances introduced in the preceding reign, and for establishing his throne in peace and power.

And here let it be observed, that nothing was of greater advantage to Henry's reputation, or contributed more to his own glory, and the happiness of his people, than the judgment he shewed in the choice of his council, which was composed of men, ripe in years and full of capacity, wisdom, and experience.

Three things made the principal subjects of their deliberations. The first was, the expulsion of all foreign mercenaries, especially the Flemings, which had been brought over in crowds during the civil commotions in the late king's reign, who had put many of them in possession of fair estates here, either as a reward for services already done, or to attach them to his interest by such a proof of his bounty. The Flemings, both in number and power, exceeded all the other strangers put together, and were immediately under the direction and at the command of William de Ypres, an able and experienced general, who had constantly abided by Stephen in all troubles, and had rendered the most signal services to that monarch: him, therefore, Henry could not think of permitting to remain in England, at the head of a body of people who might take the first occasion to raise disturbances in behalf of William, earl of Warren, the son of their deceased benefactor: though, indeed, his quiet and easy accession to the crown during the life of this son of Stephen, was a convincing proof of the unanimity of the people with regard to his right, especially as during a regency, or interregnum, of near three months, there had appeared no commo-

tions.

tions. Be this as it might, Henry wisely resolved to provide against the worst.

The second thing that fell under the consideration of Henry and his council, was the clearing the land of that prodigious number of castles that were so many fortresses raised against the regal power, and whose possessors were arrived at such a state of independency, as hardly to know a superior. The third and last reform to be made, was in relation to the exorbitant grants which had passed under the late reign, owing partly to the weakness and necessities of Stephen, who was obliged to purchase friends to support a title which was founded on so fallacious a basis.

While these prudent regulations were under revision, Henry, unwilling to trust to his own lights in the management of so extensive a sway as that to which he was now called, applied to Theobald, archbishop of Canterbury, to whom, of all the English, he owed the greatest obligations, and in whose wisdom and fidelity he could best confide, to assist him in the choice of an able and honest ministry. The archbishop not being fond of public business himself, recommended to the king Thomas Becket, archdeacon of Canterbury, a person who had done him eminent services at the court of Rome while the dispute subsisted between him and the legate, Henry of Winchester. Thomas was accordingly made the king's chancellor*, or, in other words constitutionally prime minister.

It now remained to take the opinion of the council upon the matters that had come under their deliberation, when the result was as follows.

As to the first point, all the foreigners, who had deluged England in the preceding reign, were ordered by proclamation to leave the kingdom; and in three months there was not a Fleming to be seen in the county of Kent, which before swarmed with that people; and their protector and countryman William de Ypres, who had led them over hither, withdrew out of the country with them. In the next place, all the castles erected since the death of Henry I. were, by public edict, ordered to be demolished, except a few which the crown retained on account of their advantageous situation for the defence of the kingdom. Thirdly and lastly, all the demesnes alienated by Stephen, were reassumed and reannexed to the crown; and the earls which had been created by that prince, in prejudice to the ancient nobility of the kingdom, were deprived of their titles: even benefactions to churches, and monasteries met with the same fate; and the counties of Northumberland, Cumberland, and Westmoreland were reclaimed from Malcolm the Maiden, king of Scots, who gave them up rather than make war with Henry; and, on account of his ready compliance, was gratified with the county of Huntingdon, to which he had pretensions in right of his predecessor king David.

The king met with no difficulty in the execution of any of these measures for the security of his government and the peace of the nation, except in that relating to the demolition and surrender of the fortresses belonging to the nobility, some of whom were very unwilling to comply with the terms of the proclamation on that subject. The most considerable of these was William le Gros, earl of Albemarle, now

stripped of his other title of York given him by Stephen †, who being lord of Holderneffe and master of large possessions in other parts of Yorkshire, had, in Stephen's time, acted as king in the country north of the Humber, and erected the castle of Scarborough, fortifying it so as to render it almost impregnable. However, after several affected delays and excuses, he was forced to submit. These delays were probably the occasion of the king's marching into Yorkshire; as also to call William Peverel to account for the poisoning of Ralph, earl of Chester, but William, conscious of his guilt, and dreading the king's steady justice, fled, upon his approach, over to the continent, leaving his large estates and castle, which were immediately seized and forfeited to the king. Henry, bishop of Winchester, the late king's brother, about the same time, sending his treasure before him by the abbot of Cluny, withdrew privately out of the kingdom; and as he went without the king's licence, the king ordered all his castles to be demolished: and by these vigorous measures the peace the north was fully secured.

Henry now found his presence necessary in the southern parts of the kingdom, especially towards the marches of Wales, where there were several malecontents, that gave strong indications of rebellious designs; and Hugh de Mortimer, a nobleman of great power, had fortified his castles of Bridgenorth, Clayberry, and Wigmore. He had also prevailed upon Roger (son of the great Milo), earl of Hereford, to retire from court, and levy a body of forces amongst the Welsh, to defend his castles of Hereford and Gloucester against the commissioners appointed by Henry to see the demolition of the private fortresses put in execution: however, Gilbert Follyott, bishop of Hereford, who was related to the young earl, found means to draw him off from this dangerous connection, and carried him back to court, upon assurance of the king's pardon, which was readily granted him upon the surrender of his castles. Mortimer continued obstinate, till at length Henry marching against him in person, and investing his three castles at one and the same time, he found himself unable to hold out, and therefore threw himself upon the king's mercy, who, unwilling to stain the beginning of his reign with blood, pardoned him.

While Henry was taken up with the weightier affairs of the realm, he had appointed justices in all quarters of the kingdom to repress disorders, and punish offenders, within their respective jurisdictions; whilst he took care to watch himself over their conduct, to see that they were vigilant and upright in the execution of their trust; examining into the state of the counties through which he passed in his progress, always ready to hear the complaints of such as were aggrieved, and never forgiving negligence or oppression in the justices. All these wise and paternal regulations gave his subjects the highest opinion of him, and they rejoiced in their change of situation, promising themselves peace, plenty, and felicity under a reign that had opened with such happy omens. They had a pleasing prospect of the continuance of these blessings by the increase of the royal progeny, queen Eleanor being, on February 28, 1155, delivered

* The nature of this office was to be superior of the king's Chancery and his chapels. He was to supervise all charters which were to be sealed with the king's great seal, together with all

writs and precepts that issued in proceedings depending in the king's courts and the Exchequer.

† See page 231.

of a prince, who was named Henry. This event seems to have given occasion to that general council of the prelates and nobility which the king summoned at Wallingford, about Easter, in which he exacted an oath of fealty to his son William, then an infant §, and in case of his death to this Henry.

In this year also Henry passed a charter of liberties, confirming the church in all the privileges and immunities granted to it by Henry I. and also caused the adulterated coin to be cried down, and new money struck, of the just value and standard.

These and other acts of popularity endeared Henry so much to the people of England, that he found himself in perfect tranquility*, and therefore, in January, 1156, he went over into Normandy, where he did homage to Lewis the Young, king of France, for his possessions there; not that Henry, like some of his ancestors, considered England only as an appendage to Normandy; on the contrary, he looked upon it as the throne of his majesty and the fountain of his power: but the state of the French government and that of Normandy, at this time, made him unwilling to give the crown of France any handle against him.

During his stay in Normandy, where he passed several months of this year, he had some disputes with his brother Geoffrey, in regard to his father's will, which he had taken an oath to observe †, and by which Geoffrey was to have the earldoms of Anjou, Touraine, and Maine, as soon as Henry should be in possession of the English crown; but Henry, who is said in this affair to have regarded his own interest more than the ties of blood or oaths, got a dispensation from pope Adrian IV. (with whom he was upon very good terms) absolving him from his oath to keep his father's will; and Geoffrey having thereupon engaged the Anjouins to rise and declare for him, Henry seized this as a plausible pretext to come to an open rupture with his brother, whose patrimony he seized by force of arms into his own possession, after having reduced the insurgents; and at length Geoffrey found himself compelled to accept of a pension of one thousand pounds English money, and two thousand pounds Anjouin, which amounted to about five hundred pounds more, and to relinquish his title to the counties in question. Henry having thus settled every thing upon a desirable footing in Normandy, returned to his English dominions about autumn, where his presence was become particularly necessary on account of the behaviour of the Welsh, who had made several bloody invasions into the territories bordering upon their country.

In order, therefore, to quell these disturbances, Henry, soon after his return, set about assembling a powerful army, with which he, in the beginning of the ensuing year, 1157, marched to Westchester,

where he received intelligence that Owen, the Welch prince, was advanced as far as Basingwerk, to meet him. Upon this Henry advanced with the van of his army to give him battle; but here he had well nigh lost the greatest part of his men, and his own life, through the cowardice or treachery of a young nobleman, Henry de Essex, his standard-bearer, who, upon the first charge, was struck with such a panic from the furious onset given by the Welsh, that, throwing away the royal standard, he fled with the greatest precipitation‡. The English, no longer seeing the king's ensign waving in its place, took it for granted their monarch was slain, which occasioned so great a confusion, that the whole army was on the point of falling into a general rout; but Henry, apprized of the cause, rode every where among his men bare-headed to shew himself, and partly by his words, and partly by his example, inspired fresh vigour into his desponding soldiers; so that rallying they returned to the charge, and the shame of having been thus surprized giving double strength to their blows, they beat back the enemy, and got time to retreat, though with considerable loss. About the same time Henry's fleet made a descent upon the Isle of Anglesey; but the inhabitants, who were accustomed to such visits, being upon their guard, gave the invaders so warm a reception, that hardly three out of ten returned alive to their ships. These unsuccessful beginnings determined Henry for the present to patch up a peace with a people whom he found too powerful for him in the midst of their fastnesses and woods. A pacification was accordingly concluded between Owen and him, whereby the former was to pay the accustomed tribute.

Matters being thus settled with the Welch, Henry, in pursuance of his scheme of resumption, invited Malcolm, king of Scots, surnamed the Maiden ||, to visit him at Chester, where the latter resigned to Henry the counties of Northumberland and Cumberland, but was suffered to retain the earldom of Huntingdon, upon doing fealty and homage to Henry, as his grand-father had done before to Henry I. with a salvo to all his royal dignities.

The close of this year added an increase to Henry's happiness by the birth of a son, at Oxford, who afterwards succeeded him, by the name of Richard.

In the beginning of the year 1158, Henry made an iter, or progress, through his kingdom, in order to see that justice was duly administered. When he came to Lincoln, he submitted to be crowned in the suburbs of that city, called Wickford, in compliance with the superstition of the inhabitants, to whom this condescension proved highly agreeable.

§ Who died a few days after this ceremony.

* Some historians inform us, that about this time Henry began to plan the conquest of Ireland, and that he had actually obtained a bull from pope Adrian IV. for that purpose, but that, for some particular reasons, the expedition was postponed.

† Geoffrey Plantagenet, earl of Anjou, desirous to have a better provision for his younger son than he was able to make him, required, in a will made on his death-bed, that his eldest son Henry, whenever he got possession of England, should make over the counties of Anjou, Touraine, and Maine; and obliged the bishops and nobles about him to swear that his corpse should not be interred till Henry had bound himself by oath to perform the contents of the will, which till then was not to be opened. Henry coming to the funeral is said to have taken the oath very unwillingly, and purely to avoid the scan-

dal of letting his father's corpse lie unburied. But this relation is much to be suspected, it not being agreeable either to the father's affection to Henry, to whom, in his own life-time, he had voluntarily resigned Normandy, or to his known piety and regard to justice, to make use of such an artifice in his last moments, either to force his eldest son to part with his undoubted right against his will, or to trepan him into an act of perjury.

‡ For which he was afterwards formally accused by Robert de Montfort; and the fact being notorious, Henry de Essex had no other defence than to take the benefit of a single duel. Being vanquished, though his life became a forfeit to the law, yet the king spared it, ordering him to be shorn a monk, and to be shut up in a monastery; by which means his great estate fell to the crown.

|| On account of his remarkable continency and celibacy.

Henry was no sooner returned from this progress than he was called abroad, upon the death of his brother Geoffrey, count of Nantes, to take care of his foreign affairs; and accordingly left England about the middle of August.

He judged it necessary to engage the court of France in his interest on this occasion, and therefore procured a conference with Lewis (the Young), on the river Epte, which separated their territories. Here the two kings agreed on a match between prince Henry of England and the princess Margaret of France, both infants, the former only about four years of age, and the latter as many months. Lewis afterwards invited the king of England to Paris, where he entertained him with great magnificence: at his departure he took with him the young princess, the care of whose education he committed to Robert de Newbourg, steward and justiciary of Normandy, till she came of an age fit for marriage. Lewis the Young has been represented by most historians as a very easy and weak prince, and hence it has been said that Henry procured from him a commission to enter Brittany as his lieutenant; but though the reputation of a league, or alliance, with this king, might be of great service, it does not seem reasonable to think that he had any such commission, and that all he obtained was only an acknowledgement of his title of grand-seneschal of France, which had been enjoyed by his grand-father, Fulk, in virtue of a grant from Lewis the Fat, in consequence of the hereditary right the counts of Anjou had to that dignity, from the time of their first creation. The assuming this title, however, gave Henry a very plausible pretext for invading the county of Nantes, which he claimed as heir to his brother Geoffrey. In fact, he wanted neither commission nor power to carry his point, being master of all the countries that surrounded Brittany, and having had the administration of Flanders, with guardianship of the heir, committed to him by count Theodoric, when he set out on his expedition to Jerusalem.

Brittany had, for some time, been rent by intestine wars, occasioned by the pretensions of Eudes, or Eudo, viscount of Penthievre, husband to the duchess Bertha (daughter of Conan le Gros), and of Conan le Petit, earl of Richmond, her son by her first husband, Allan le Sauvage, to the government of the duchy; but Eudes being taken prisoner by the lord of Fougères, Conan at last got possession of the whole principality, except the county of Nantes, which he likewise seized upon the death of Geoffrey. It was his undoubted right by inheritance, and Geoffrey, the late possessor, had no title to it but what he derived from the voluntary submission of the inhabitants of Nantes, who, after the death of Conan le Gros, not chusing to come again under the dominion of a duke of Brittany, put themselves under the protection of young Geoffrey Plantagenet. But it was in vain that Conan urged his right, in opposition to a superior power: Henry summoned him to restore the county, and on his non-compliance, confiscated the earldom of Richmond, with all his estates in

England, equal at least in revenue to all that he enjoyed in the county of Nantes.

Conan therefore, finding himself certain to be the loser, whatever party he should take; apprehensive of new troubles being raised in Brittany, by his uncle Henry, count of Penthievre, who was returned into France with that design; despairing of any assistance, and utterly unable to oppose the king of England, who was advanced as far as Avranches, at the head of a powerful army of Normans, and ready to enter his territories, he thought it best to avert these troubles by a timely submission; and accordingly, having had a meeting with Henry, he delivered up to him the county of Nantes, on the twenty-ninth of September, of which Henry instantly took possession*: and having reduced the castle of Thouars, which held out against him, he applied himself to the settling all matters of dispute between him and the princes whose territories lay contiguous to his in Normandy. But before he left France, he took the opportunity of Lewis's making a visit of devotion to Mount St. Michael, to wait upon him there, in order to rivet the good understanding between them. The pilgrimage being over, the French monarch was nobly entertained by Henry, who observed the same ceremonies towards him, which had been shewn to himself in Paris. Lewis then departed, highly pleased with the politeness and magnificence of his brother of England.

Henry now returned to his English dominions; and soon after went into the North, in order to have an interview with the Scottish king at Carlisle, the particulars of which we do not know. From hence he and his queen went over again to Normandy, and kept their Christmas at Falaise: and there the earls of Blois and Perche resigned to Henry all the towns and castles which were in their hands, belonging to the duchy of Normandy; while Henry invested the earl of Perche in the castle of Bellesme.

The beginning of the year 1159, we find Henry again in England, and taking a progress as far as the city of Worcester, where he kept the festival of Easter, together with his queen; and, after being solemnly crowned, they both came to the offertory, laid their crowns upon the high altar, and vowed never to wear them more, as long as they lived†.

Henry, not yet satisfied with the addition of Nantes, and the extensive dominions he formerly enjoyed, resolved to revive the pretensions of his queen, Eleanor, to the county of Thoulouse, in right of her grand-father, William, count of Poitou, who married Philippa, heiress of William IV. count of Thoulouse. These dominions had been mortgaged to Raymond de St. Giles, the youngest brother of William, for a certain consideration; and the count of Poitou afterwards confirmed the sale for a sum of money. But Lewis the Young, when he married Eleanor, sole daughter and heiress of William IX. count of Poitou, pretended that the first alienation to Raymond de St. Giles was no better than a collusion between him and his brother, and that the confirmation was an imposition upon

* On this occasion a marriage was resolved upon between Constance, the daughter and heiress of Conan, and Geoffrey, third son to Henry. This marriage five years after took place, upon Conan's death, and Geoffrey, young as he was, became duke of Brittany.

† Hoveden. This, however, certainly could have been meant only of the identical crowns so offered; for what reason does history give us to believe that Henry never again wore a crown?

the simplicity of the count of Poictou: he therefore alleged that the whole transaction was null and void, and that Eleanor ought to enjoy the inheritance of her grand-mother Philippa, upon restoring the sum which the count of Poictou had received for the confirmation of the pretended sale. Raymond V. then count of Thoulouse, in vain pleaded prescription and right of sale; this plea was over-ruled by the power of the French king, who threatened to make his pretensions good by force of arms. Nevertheless, after a long negotiation, the difference was terminated by the marriage of count Raymond with Constance, the sister of Lewis, and widow of Eustace, son of king Stephen. In favour of this marriage Lewis desisted from his pretensions †.

But after the marriage of Eleanor with Henry, the same rights devolved to him, who was of too ambitious a spirit to suffer them to lie long dormant, and accordingly now laid claim to the county; and Raymond again pleading sale and prescription, he resolved to reduce it by force of arms.

This was an enterprize of great importance, and attended with many difficulties. It would require a length of time to take by force so strong and populous a city as Thoulouse; and to supply pay at the usual rate, with provisions, to the knights his vassals, after the expiration of the forty days service (which, by their tenures, they were obliged to perform at their own cost), was likely to involve Henry in an insupportable expence. To provide against this inconvenience, and that he might not be compelled to abandon his design for want of money, he raised sixty Anjouvin shillings (about fifteen shillings English) upon every noble fief in Normandy, and his other foreign dominions that lay at a distance from the scene of his enterprize.

The usual manner hitherto observed through Europe in general, in raising armies, was by the king's sending orders to his military tenants to take the field with a certain number of their vassals, in proportion to the value of their fiefs; and an army being formed of these, each lord and gentleman had a command in it, greater or less, according to the quantity of his lands and the number of his followers. This personal service was both inconvenient and burthensome, especially to the inferior gentry, when a war was to be carried on in remote countries, the charges of going to the army and returning thence, which they bore themselves, being very great; their domestic affairs suffering, and the tillage of their lands being neglected, during their long absence, and that of their attendants, who used to be employed at home in husbandry. It was much more agreeable to them, in such a case, to advance money (as prelates were often allowed to do), than to furnish troops and go in person: and Henry's military tenants, in England, Normandy, and Anjou, came readily into this proposal of commuting, by a pecuniary payment, for their personal service in the expedition against Thoulouse. This payment was called Escuage, Scutage; and this is the first time we find any mention of it in history. It seems to have been charged in England at the rate of three pounds for every

knight's fee; and, according to Gervase, raised the sum of one hundred and eighty thousand pounds. With this money he levied a numerous army of mercenaries, which being put under the command of the most experienced of his nobility and gentry, and joined by his military tenants, and their followers, in Guienne, and also by the troops of his allies, furnished a sufficient force for the intended expedition.

Henry, finding every thing now ready, returned to the continent, taking with him Malcolm, king of Scotland, whom he knighted on this occasion, William, count of Boulogne, and a great number of English noblemen, who served as volunteers on this occasion*. He was joined, on his arrival, by the troops of William, lord of Montpelier, and Trincaval, viscount of Beziers and Nîmes: Raymond Berenger, count of Barcelona, sent him a body of forces, in consequence of a treaty of marriage between the count's daughter and Richard, the king's second son, by which the young couple were to be put in possession of Guienne, as soon as they should be of age to consummate the marriage.

Thus reinforced, Henry's first operation was the siege of Cahors, the capital of the generality of Quercy, which he quickly made himself master of; and then entering the county of Thoulouse, he sat down before the city of that name; but Lewis, the French king, who had with a jealous eye watched over Henry's motions, resolved at all events to stop his further progress, fearing, not without reason, that if he should become master of so many principal places in the heart of France, he might ere long advance to the very gates of Paris, and give him laws: he therefore marched with a small body of troops to the succour of the count his brother-in-law, and made such expedition that he threw himself into the town before Henry could have time to prevent him. The king of England was not a little surprized at this step of Lewis, with whom he had so lately contracted an alliance, and even intimacy of friendship. Nevertheless, he continued to push the siege with the utmost vigour, from the middle of June till the beginning of November; but such was the strength of the place, and so resolute the resistance of the besieged, animated by the presence of the French king, that at length, after a prodigious expence of blood and treasure, Henry, to his unspeakable mortification, was obliged to raise the siege. In his retreat his army was miserably harrassed by the French troops; William, count of Boulogne, son to the deceased king Stephen, was slain with several other persons of distinction, and Henry, with great difficulty, got the shattered remains of his army back into Normandy.

Burning with rage and resentment against the French king for his late breach of the peace and alliance between them, Henry resolved to make him pay dear for his perfidy; and therefore, after some time spent in recruiting the strength and numbers of his forces, he fell upon the Beauvoisis, took and destroyed the strong fortress of Gerberoy, reduced several towns and villages to ashes, and having found means to get over to his interest Si-

† Catel. Histoire des Comtes de Toulouse.

* His chancellor Becket likewise attended him on this occasion: and Fitz Stephens, in his Life of that prelate, says, that in this war, Thomas, then chancellor, made a prodigious figure; he had seven hundred knights in his retinue: and, be-

sides these, he maintained at his table, for forty days, twelve hundred horsemen, each of whom received of him three shillings per diem, to provide for his horses and esquires: and that the number of all his dependants amounted to four thousand men able to carry arms.

mon de Montfort, count of Evreux, that nobleman surrendered into his hands the strong fortresses of Montfort l'Aumari, Rochefort, and Epernon, in the neighbourhood of Paris. By this sudden turn of affairs, Lewis found all communication with his capital cut off, and alarmed at the rapid progress of Henry's arms, he was glad to propose a cessation of arms for six months; to which Henry consenting, all hostilities ceased, and the latter returned to Normandy, where he kept his Christmas. This cessation of arms was followed by a treaty of peace, which was concluded in May, 1160, but not ratified till the October following.

The reader will recollect, that Margaret, the French king's daughter, had been affianced to Henry's eldest son: she was to have for her portion the city of Gisors, with a part of the Norman Vexin, which were to remain in the custody of the Knights Templars till the celebration of the marriage; but Henry, impatient to be in possession of the lands abovementioned, prevailed on the cardinals of Pisa and Pavia to grant him a synodical decree dispensing with the nonage of the parties; whereupon he ordered the nuptials to be solemnized, and the royal infants were accordingly married in the beginning of November, though the bridegroom was not then seven, and the bride only three years of age. In consequence of the celebration of these nuptials the Knights Templars, looking upon themselves as freed from their charge, delivered up to Henry the castle of Gisors and the other places assigned as Margaret's portion.

These mean and underhand proceedings naturally gave great umbrage to Lewis, who vented the first emotions of his resentment on the Knights Templars, who had so hastily, and without consulting him, given up their trust; he banished them out of his kingdom; but Henry, who always took care to reward those who had rendered him services, gave them so favourable a reception in England, that they had no cause to regret their expulsion from the French dominions. Lewis then ordered the sons of Theobald, count of Blois, to fortify Chaumont, a place of considerable strength, and that commanded the whole of the county of Touraine, where Henry had great possessions. Hereupon the king of England, without losing any time, gathered together a strong force, and advanced against the place, which being unprovided just then for defence, became an easy conquest, and the works, not yet finished, were by Henry levelled to the ground, who, at the same time, took and carried away prisoners all the garrison, amounting to two hundred men and upwards. He then gave orders for fortifying several places in that province, and supplying them with strong garrisons; after which he went to Mans, where he kept his Christmas, with his queen, Eleanor, who had lately come over to Normandy, with her son prince Henry and his sister Matilda.

When the following spring, 1161, allowed the campaign to open, the French king entered the Norman Vexin with a considerable army; Henry also raised forces on his side, to oppose him: but

as neither party, though several times in sight of each other, chose to come to a battle, both lay upon the defensive, till at length, by the mediation of pope Alexander III. a truce was made till Midsummer; and Henry, having taken the strong castle of Agen, in Aquitaine, this success of his induced Lewis more readily to hearken to a peace. Pope Alexander, who had been obliged to fly from Italy by his rival, the antipope Victor, had now taken refuge in France, where Lewis had acknowledged him for the true pope, as did also Henry on his side; the pontiff therefore, desirous to reconcile his two friends, probably with a view of getting them to unite in his cause, offered his personal mediation, and proposed an interview between the two monarchs at Torcy, upon the river Loire; which being agreed to, a peace was there concluded in presence of his holiness†.

Henry, no longer taken up with the affairs of war, applied himself to the redressing some grievances that had crept into his Norman government. For this purpose he held a council of his prelates and nobility at Bayeux, and soon after another at Lislebonne, where the barons took an eventual oath of fealty to prince Henry, as heir-apparent to that duchy.

The affairs of England now requiring to be looked after, Henry would gladly have returned hither; but as his concerns on the continent could not yet dispense with his absence, he was contented to send over his son Henry, in the spring of 1162, under the care of his trusty chancellor, Becket, to whom he gave a patent to act as regent of the kingdom till his own arrival. Accordingly this year Thomas convened a great assembly, or parliament, under the king's commission, at which the prince-royal of England was present, and had fealty sworn to him by the prelates and nobles here, in like manner as he had received it before from those in Normandy, the chancellor himself being the first to set the example. This same year Thomas Becket was chosen archbishop of Canterbury, upon the demise of Theobald: there was some dispute concerning his election, the bishop of Hereford objecting that he had appeared hitherto rather in the character of a soldier than a churchman; but this obstacle was powerfully over-ruled, and Thomas was, by the bishop of Winchester, declared duly elected, and received consecration accordingly*.

After settling the affairs which had now detained him on the continent near four years, Henry returned into England in 1163, where he was received with the greatest demonstrations of loyalty and affection by all the nobility, both spiritual and temporal, and among the rest by Becket, his favourite minister, and now head of the English church. And here it was that he gave the first instance of that dissimulation, for which among his other vices, he became so notorious in the succeeding part of his life: from the gayest soldier and the most magnificent courtier of his age, he was now become a professed practiser of all the fanatic ferities of the monkish order; and the manner of his behaviour to the temporal nobles was so insup-

† On this occasion a magnificent pavilion was erected for the pope; and before he alighted from his horse, he was met by both kings, walking on foot, who each placed himself at one of the stirrups of his holiness, and walked by him till he alighted, each of them holding a stirrup, and waiting on him like common grooms. No wonder, if such an unpardonable weakness in two powerful monarchs raised the haughtiness

of the pontiff to its utmost height; and accordingly he rather commanded than mediated the peace he was so desirous to have concluded.

* Becket was thus elected on June 3, 1162, having been ordained priest the day before, by Walter, bishop of Rochester.

portably insolent, that it required far less discernment than Henry was possessed of, for that prince to perceive that he had been egregiously mistaken in the spirit of the man whom he had delighted to honour: however, he for the present disguised his real sentiments under the appearance of a civil reception.

After his return, Henry kept his Christmas at Westminster, where he received homage from Malcolm, king of Scots, from Owen and Rees, the princes of North and South Wales, and from all the nobility, spiritual and temporal, who, at the same time, renewed their eventual oath of fealty to his son prince Henry.

And now he might have reigned the happiest and greatest monarch that had for many years filled the English, or indeed any other, throne, had not all his expected felicity been suddenly destroyed by a viper whom he had nourished in his bosom, and no sooner felt himself raised to the meridian vigour of power by the genial warmth of royal favour, than, with the blackest ingratitude, he endeavoured to sting his benefactor to the heart.

The reader will readily conceive that I can mean no other than the archbishop, Becket, whose insolence, pride, and obstinacy brought disgrace upon his sovereign, and an untimely fate upon himself.

It will be necessary, before we proceed to give an account of the great controversy that at this time arose between Henry and the archbishop of Canterbury, and which I shall consider in a civil light, to let the reader into the history and rise of this ambitious and rebellious subject.

Thomas Becket † was son of a citizen of London ‡, by a Syrian woman §, and spent his youth in the study of the law. He grew so famous at the bar, that he was sent to Rome by Theobald, archbishop of Canterbury, on several negotiations, in which he discharged himself so ably, and to the satisfaction of his patron, that, upon the promotion of Roger de Pont l'Eveque to the see of York, he was ordained deacon, and afterwards made archdeacon of Canterbury, about a fortnight before the death of Stephen. When Henry II. was crowned, Theobald, as hath been already shewn, recommended him to the king for his chancellor. In the discharge of this high office Becket behaved to every one with so much pride and haughtiness, as rendered him almost insupportable; but, at the same time, he had the art of disguising himself entirely with regard to the king, to whose will he at all times appeared to be submissively devoted, so that Henry looked upon him as a person always ready to sacrifice every thing to his desire or interest; and therefore, upon receiving news of the death of Theobald, he resolved to promote Becket to that dignity, as a person who might be serviceable to him in some designs he had formed against the encroachments which the clergy were daily making upon the royal authority. The monks of Canterbury, who claimed the privilege of electing an archbishop of that see, were very little inclinable to have Becket placed there, whom they looked upon as too much of a courtier and

man of the world; but Henry's recommendation was so warm and urgent, that Becket was actually elected, as abovesaid, on the third of June, 1162, being the first Sunday after Whitsunday.

No sooner did he see himself established in this high station then he began to give a specimen of his vanity and insolence, by two acts, which one would imagine were meant to prepare the king for what he afterwards found in his conduct towards him: he imagined his consecration to be a matter of such importance to Christianity and the church of England, that he affected to distinguish it by a solemn festival, and accordingly instituted the feast of the Holy Trinity to be kept on that day, saying himself the communion-office especially appointed for it §. The other act was, his sending, immediately upon his election, the seals of his office of chancellor to the king, without waiting his return from abroad: an act which Henry considered as an affectation of independency, and a declaration that he was to expect no service from him in the affairs of the kingdom. This the king could not but greatly resent; and Diceto and Gervase will have it, that this was the principal cause of that cold civility which Henry shewed to the archbishop, when he met him at his landing in England, which was the more taken notice of, on account of their former intimacy, and what the king had so lately done for him in getting him promoted to the archiepiscopal dignity. Another writer, of some degree of credit ¶, says on the contrary, "that when the king landed at Southampton, he received the archbishop with his accustomed kindness; and after being several days together, during which nothing passed but what shewed Becket to be in the highest favour, they parted, entirely satisfied with each other." So that perhaps the coldness on the king's side did not commence till after the archbishop's return from the council of Tours, and the king's being informed of the resolutions he had taken there.

Thomas had behaved so little like a churchman during the time that he exercised the office of chancellor, that Henry, when he advanced him by his interest to the place of Theobald, never dreamed he would trouble his head about matters of controversy, especially such as tended to give any uneasiness to, or circumscribe the power of the crown; but Becket being now placed, as he imagined, beyond the reach of royal authority, resolved to support his imaginary independency, and struck into all that presumptuous ambition, which in those times seemed to be inherent in that illustrious office. The daily jarrings that happened in temporal and spiritual affairs, soon gave Henry an opportunity of observing that the very quintessence of prelatial insolence was centered in Thomas.

A council having been held at Tours, by pope Alexander III. on the nineteenth of May, in the preceding year (1162), Becket had attended there, and was received by his holiness with extraordinary honours, who granted his church all the privileges he desired. Among other canons made at

† The following account is taken from Fitz Stephens' Vita St. Thomæ, Gervase, Brompton, and others.

‡ Gilbert Becket. He lived in the Borough of Southwark, on the spot where St. Thomas's hospital now stands.

§ Her name was Matildis, said to be the daughter of a Saracen, who had taken Gilbert, Becket's father, prisoner when he went in pilgrimage to the Holy Land, or rather, while he served in the armies of the crusaders.

§ Which hath ever since been observed in England. The following Sundays have taken their denominations from it; whereas they are still computed in foreign parts, as they were here before this event, according to the order in which they follow Whitsunday.

¶ Heribert, in the Life prefixed to the Epistles of Becket, in quarto, at Brussels, A. D. 1682. p. 27.

this council, there was one against the usurpation of ecclesiastical goods by the laity: and whether Thomas thought himself obliged by the canon, or was encouraged by the pope (with whom it is most likely he then concerted the measures he afterwards pursued), to attempt the recovery of all lands alienated from his see, he was no sooner returned home than he demanded of the king the custody of the castle of Rochester, which Henry held in his own hands, and also the manors of Saltwode and Hethe, as belonging to the church of Canterbury, but were now held of the king, by knight's fee, by William de Ros. He pretended also to the castle, with all the honours, of Tunbridge, in the possession of Roger, earl of Clare, great-grandson to Richard Fitz Gilbert, to whom it had been granted by William I. for a valuable consideration of lands, to an equal extent, in Normandy: this grant had also been confirmed by several former archbishops of Canterbury. Nevertheless, Becket, insisting that his predecessors had no power to alienate the property of the church, summoned Roger to do him homage, without deigning to acquaint the king with his intentions. But the earl, with a becoming spirit, told him he held the castle of the king, and would do homage to none but his majesty. Such proceedings in the archbishop could not but give great umbrage both to the king and the nobility; however, not contented with this attempt to extend his jurisdiction, he made a still more powerful effort, by collating one Lawrence, a priest and creature of his own, to the rectory of Eynsworth, or Ayresford, in Kent, asserting that it was the prerogative of the archbishop to fill all vacant church-livings in the manors of his military tenants, as well as of the churches of Canterbury. But the patron, who was a baron of the realm, resolved not to submit to such an insolent intrusion, and immediately ejected Lawrence from the benefice.

Becket, considering this as an unpardonable affront, excommunicated the patron, expressly contrary to a law enacted in the reign of the first William, importing, that no military tenant of the crown should be excommunicated without knowledge of the king. This presumption was an additional cause of disgust to Henry, who, on this occasion wrote himself a letter to the archbishop, desiring that the censure might be taken off, which the haughty prelate absolutely refused: at length, however, reflecting, that, by persevering in what he had done, he should incur the penalties of the above-mentioned law, amounting to high treason, he complied, but with so ill a grace, that Henry from that instant resolved never more to countenance him. These may be considered as the preludes to the open rupture which soon after ensued between the king and this rebellious subject.

Among other steps by which Becket endeavoured to gain the good-will of the populace, and of the herd of monks and other lazy gown-men that swarmed all over the kingdom, and by whose assistance he hoped to be able to set the archiepiscopal chair at least upon a level, if not above the royal throne; he affected, on all occasions, to be a vigorous asserter of the privileges and immunities of holy church, to use the cant of those times.

One of these immunities, or rather abuses, was that no clergyman was to be subject to the civil jurisdiction, however heinous the crime he might

have committed: in consequence of this iniquitous exemption, there was not a species of villainy which the priests did not practise, relying upon their privileges for impunity, and openly defying the power of the magistrates, and even insulting their persons; murder, robbery, and theft stalked openly through the land, clad in the habit of the church, without any one daring to call these holy ruffians to account.

It happened soon after Becket's elevation to the primacy, that a clerk, in Worcestershire, having debauched a gentleman's daughter, and afterwards killed her father, the king insisted that he should be tried for these crimes in his secular court; but Becket would not allow it, and, to protect him from the civil jurisdiction, ordered him to be kept in the bishop's prison; and afterwards, bringing the matter into his own court, it was decreed that the murderer, as a punishment for his crime, should be deprived of his benefice, and be confined for the remainder of his days in a monastery. The king, being informed of the sentence, expostulated very warmly with the archbishop for punishing so slightly a crime which was death by the laws of the land. Becket, in reply, alleged the immunities of the church, and told the king to his face, that a clergyman ought not to be put to death for any crime whatever; and that as to subjecting a churchman to the cognizance of the civil courts, it was a flagrant encroachment upon the privileges of the church, which he would, in all cases, oppose it the utmost of his power. This insolent declaration put the king almost beside himself with rage; but his prudence coming to his assistance, he wisely forbore treating the insolent archbishop as he deserved, but, turning his back upon him, left him with contempt.

Henry now perceived that it was high time to put a stop to this tyranny and injustice of the clergy, which threatened his own authority and the peace of the nation with the most fatal consequences: he therefore called an assembly of the bishops at Westminster, where he solemnly demanded of the archbishop and bishops, "whether they consented and allowed, that such felons as were clergymen, who were taken in the fact, convicted, or confessed, should be degraded, and immediately upon their degradation be delivered over to a secular officer for corporal punishment?" This demand, which was of itself perfectly agreeable to justice and the constitution of the land, met with little or no resistance from the clergy; but the archbishop peremptorily refused to comply with it, alleging that it was contrary to the law of God and the institutions of the church, for a delinquent to undergo a double punishment for one offence; and told his brethren, that it ill became them, who were forbid by the holy scriptures to be concerned in sentences of blood, to consent to the exposing any guilty person of their own order to capital punishment. Upon this the bishops, who thought they could do no less than subscribe to the opinion of their primate in all church-affairs, declined coming to a resolution upon the subject of the king's demand. Henry finding them thus obstinate, demanded, with some warmth, whether they would observe the laws and customs of his realm? To which the archbishop, in the name of all the clergy and himself, answered, that they would, "saving their order by and in all things." This shuffling answer plainly shewed the king the little good he had to expect from this assembly, and accordingly he went away to Woodstock the same evening.

evening, without deigning to take any further notice of them, having first sent to demand of Becket the restitution of the castles which he had been entrusted with, during the time of his being chancellor, and which he still retained, notwithstanding his hypocritical declaration, that he had resigned the seals as thinking it too worldly an office to be exercised by him in his sacerdotal function.

The abrupt departure of the king filled the bishops with some apprehensions; they represented to Becket, that his unseasonable obstinacy might drive the king into some measures detrimental to the church and her sons, and therefore advised him, from a regard to the common cause, to make some concessions to offended majesty: but the archbishop remained immovable, and even declared that he was ready to lay down his life in maintenance of the canons of the church, exhorting them to do the same; but the good bishops, who were not so blinded with enthusiasm or ambition as their principal, wisely reflected, that whatever honour their perseverance might do them with the court of Rome, yet, as barons of the kingdom of England, they had much to fear for their temporal possessions from the resentment of an active and warlike prince, who had a fine army at his command, and was master of an immense revenue: making their interest, therefore, the measure of their loyalty, they repaired to the king at Oxford, and retracted the disgusting salvo.

In the mean time, Philip, abbot of Eleemosyna, coming into England from the pope, in quality of legate a latere, and finding how matters stood between the king and the archbishop, pressed the latter so warmly to compromise all differences, and represented to him the danger that might accrue to the church from the resentment of Henry, in such strong colours, at the same time urging the desire of the pope, who by him exhorted the archbishop to pacific measures, that he at length prevailed upon Becket to visit Henry at Woodstock, where he promised, upon the faith of an honest man, to observe the laws of the kingdom without qualification or prevarication.

Henry, in order to remove every possible cause of dispute for the future, and to prevent all further encroachments upon his prerogative, by fixing the precise limits between the authority of the church and state, assembled a general council of the prelates and nobility at Clarendon, on the twenty-fifth of January, 1164. Here the articles, so famous under the name of the Constitutions of Clarendon, were presented to the assembly on the part of the crown: but in the interim Becket had changed his resolution and retracted his promise; and, when the council met, absolutely refused signing the articles, till after the repeated intreaties and representations of the principal nobility, who laid before him the imminent hazard he might run from the king's high spirit. Moved by these insinuations, he at length consented, and the articles being all expressly recognized as the rights of the crown, were signed by both the archbishops and twelve bishops, who all swore to observe them; and, on the thirtieth of January, in the presence of a great number of the nobility, whose names are recited, put their seals to the instrument, of which there were three indented copies made, one lodged among the records of the crown, and the others delivered to the two archbishops.

These articles, which served as the foundation of that excellent plan of polity which still obtains in our government, are too interesting and curious for us to omit them in this place.

The preface or preamble to them was as follows:

“At a council holden at Clarendon, in the presence of king Henry II. in which John of Oxford, the king's chaplain, presided, by order of the king, a recognition was made of the customs and liberties of the king's ancestors (particularly of his grand-father, Henry I.) by the archbishops, bishops, abbots, earls, barons, and great men of the kingdom, and which ought to be observed, by reason of the disputes which often happen between the clergy and the justices of the king, and of the great men.”

The articles here follow:

I. All suits about the presentation and advowson of churches, between either laity or clergy, shall be tried and determined in the king's court.

II. Churches of the king's fee cannot be given away in perpetuity without his consent.

III. Clergymen accused of any crime whatever, and summoned by the king's justices, shall appear in the king's court, and plead to such articles as the court shall require, and in the ecclesiastical court to such as are cognizable therein; provided the king's justices send an officer to inspect the proceedings of the ecclesiastical court. And in case a clerk is convicted, or pleads guilty, he is to lose his privilege, and be protected by the church no longer.

IV. No archbishops, bishops, or parsons may go out of the realm without the king's licence: and if they have leave, they shall give security not to ask or attempt any thing, either in their passage, stay, or return, to the prejudice of the king or kingdom.

V. Excommunicated persons shall not be obliged to make oath or give security to continue upon the place where they live; but only to stand to the judgment of the church, in order to their absolution.

VI. Laymen ought not to be accused in the ecclesiastical court, but by legal and reputable promoters and witnesses, and in the presence of the bishop; yet so as the archdeacon lose not his right, or any of his dues. And if the offenders be such that nobody either will or dare accuse them, the sheriff, at the bishop's instance, shall cause twelve legal men, of the town or vicinage, to make oath before the bishop, that they will declare the truth of the matter, according to the best of their knowledge.

VII. None either of the king's tenants in capite, or of his ministerial officers, may be excommunicated, nor any of their lands put under an interdict, unless application be first made to the king, if he be in England, or (in case he be out of the realm) to his justiciary, that he may see justice done in their case; so that, what is cognizable in the king's court may be there determined, and what belongs to the ecclesiastical may be remitted thither.

VIII. If appeals arise in ecclesiastical causes, they are to be made from the archdeacon to the bishop, and from the bishop to the archbishop: in failure of justice from the archbishop, recourse must be had to the king, that, by his precept, the suit may be

be determined in the archbishop's court; nor shall it be lawful to proceed further without the king's consent.

IX. If a suit arise between a clergyman and a layman, about a tenement, which the first pretends to be held by frank-almoine*, and the latter maintains it to be a lay-fee, the tenure shall be tried before the king's justiciary, by the verdict of twelve legal men, summoned, according to the custom of the court, by the order of the king's chief-justice: and if the tenement is found to be held in frank-almoine, the suit shall be tried in the ecclesiastical court; but if the verdict brings it in a lay-fee, the suit shall be carried on in the king's court, unless they both hold of the same lord, either spiritual or temporal, in which case it shall be tried in his court; provided, however, that the person seised of the tenement in question, shall not, on account of such verdict, be disseised till the suit is determined.

X. If any inhabitant of a city, castle, borough, or demesne-manor of the king, be cited for any crime by the archdeacon or bishop, and will not make satisfaction upon their summons, they may interdict him from divine service; but they ought not to excommunicate him till the king's principal officer of the place be made acquainted therewith, that he may oblige the person to make satisfaction to the church; and if such officer fail in so doing, he shall be fineable at the king's pleasure, and the bishop may then exert his ecclesiastical authority upon the accused person.

XI. All archbishops and bishops, and other clergymen possessed of ecclesiastical dignities or benefices, who hold of the king in capite, are to look upon their estates as baronies, and shall appear before the king's justices and officers, to answer the duties of their tenure, and shall observe and perform all the royal customs, rights, and services, and shall hold themselves as other barons, obliged to be present at judicial proceedings in the king's court, till sentence comes to be given against life or limb.

XII. When any archbishopric, bishopric, abbey, or priory, of royal foundation or patronage, becomes vacant, the king shall enter thereupon, and receive all the issues and profits thereof, as of his own demesne lands; and when he shall think fit that such church be provided for, the king shall send his mandate to the chief persons of the chapter or convent, and the election shall be made in the king's chapel, with the king's consent, and by the advice of such dignitaries of the realm as the king shall call together for that purpose: and the person so elected, shall there, before his consecration, do homage and fealty to the king, as to his liege lord, for life, limb, and earthly honour, saving his order.

XIII. If any of the chief nobility of the realm do violently oppose the archbishop, or bishop, or archdeacon, in doing justice on themselves, or on their tenants, the king shall take cognizance of the matter, and oblige him to submit to justice. And if any one deny the king his rights, and decline standing to the judgment of the court, the archbishop, bishops, and archdeacons shall employ their authority and censures to oblige him to make the king satisfaction.

XIV. The goods and chattels of such as have forfeited to the king, shall not be detained in any church or church-yard, to secure them from being seized according to law, because they belong to the king wherever they are found, as well within the precincts of the church as without.

XV. All actions and suits for debt, due either upon oath or solemn promise, or otherwise contracted, shall be tried in the king's court.

XVI. The sons of villains, or copyholders, are not to be ordained without the consent of the lord of the manor where they were known to be born.

How unwillingly soever the archbishop subscribed the articles, the king was highly pleased with having his hand to them, as not making the least doubt of the pope's approving laws that had been deemed necessary by all the bishops themselves. In this belief he resolved to have them confirmed by a bull, in order to take from the prelates all pretence of recanting; but when the articles were transmitted to France, where pope Alexander then was, he not only refused to give them the sanction of his authority, but exclaimed bitterly against them, as prejudicial to the church and destructive of her privileges, though he did not think fit to censure them equally. There were only six that he condescended to tolerate, and absolutely condemned all the rest. Shortly after, Becket openly declared that he repented signing the Constitutions of Clarendon, and affected to treat himself with great austerity, as a punishment for his criminal condescension to the king's will, and actually suspended himself as unworthy to perform the archiepiscopal functions, till the pope should be pleased to absolve him. The pope's absolution being easily obtained, he resumed his functions, having also received assurances from his holiness that he should be supported. But, in the mean time, Alexander not chusing to break with Henry, sent the archbishop of Rouen over to offer his mediation for compromising matters between Thomas and him; but the king refused to listen to any overtures till the pope had confirmed the Constitutions: at the same time, to try how his holiness stood disposed, he sent over to solicit a legatine power from the pope in favour of Roger, archbishop of York, which was denied; but the artful pontiff made the king himself a compliment of such power, provided it was not exercised to the prejudice of the archbishop of Canterbury.

Henry, however, was not to be caught with this bait; he declined the offer, and at the same time took care to express himself in such terms in relation to Becket, whenever the pope's ambassador was by, that it was generally apprehended by all Becket's friends, that the king was bent upon his ruin. The archbishop, alarmed at this, applied to Henry for leave to go on a visit to pope Alexander, whose advice he pretended to want in regard to some church-affair, but was refused; whereupon he embarked privately on board a vessel at Romney, in order to make his escape over to France; but being put back by contrary winds, he went to Woodstock, where the king then resided, in hopes of being able to mollify him; but Henry was by this time so thoroughly incensed against him, that he refused him audience, and he was obliged to depart without an interview.

* A tenure of lands, or tenements, bestowed for perpetual alms.

The late behaviour of the primate had been such as warranted the most rigorous punishment that insulted majesty could inflict; but Henry, to his just praise be it said, chose to proceed by the most constitutional measures, and therefore he called a new council at Northampton, about the beginning of October, 1164, at which no less than four impeachments were preferred against the turbulent primate.

The first was for contumacy, in not having appeared at the king's court in person, to answer a writ brought against him for removing a cause from his court into that of the king. The archbishop, standing upon his defence, was cast, and fined in five hundred pounds.

The second article was his having embezzled three hundred pounds he had received of the issues of the honours of Eye and Berkhamstead. In answer to this article he alleged, that he had laid out a greater sum in the repairs of royal castles, and wanted to wave the prosecution, because he was not cited to the council on that account; but the king denying his first allegation, and demanding immediate judgment, he agreed to refund the money, and gave security for the payment.

The third charge brought against him, was for five hundred marks which he had borrowed of the king. Here the archbishop pleaded, as he did against the last article, that he was unprepared to answer upon those charges. This plea was likewise over-ruled, and Becket obliged to give security.

The last charge was of a capital nature, for thereby he was accused of having converted to his own use the revenues of the archbishopric of York, of which he had the custody whilst he was chancellor, together with the profits of several other bishoprics, abbeys, and church-livings. Instead of endeavouring to clear himself of this accusation, he answered, that when he was made archbishop, prince Henry, the king's son, and Richard de Lucy, the justiciary, had acquitted him of all accounts: adding, that even had they not done so, he was not bound to answer before laymen, since he was invested with the first ecclesiastical dignity in the kingdom. The former part of this answer sufficiently shews the shuffling disposition of this churchman, since the prince, from whom he said he had his acquittance, was but seven or eight years of age, though he had the title of guardian of the realm in the absence of the king his father. Moreover, it was certainly incumbent upon a person of the character he affected to bear, to shew the greatest readiness in accounting for his administration with regard to the profits of vacant benefices, and the expending of the king's treasures, even supposing those in power had, out of respect or complaisance to him, forbore to demand it. As for the latter part of his answer, he himself had rendered that plea utterly void, by signing the Constitutions of Clarendon, an irrevocable deed, however he might pretend to repent of it, or set up the pope's authority against the laws of the land. In fine, the whole tenor of his conduct appeared so blameable, that the assembly were unanimously of opinion, that he stood guilty of contumacy and rebellion against the authority of the laws. The haughty prelate, finding that matters were going against him, in order to gain time, desired leave to consult his suffragans and the other

bishops, in relation to his further defence: this was allowed him, and he accordingly retired to his lodgings.

Here he sat all night in close consultation with his suffragans, but had the mortification to find that he could not engage them in the same plan of refractoriness and disobedience with himself; on the contrary, they advised him to submit to the king. Thus disappointed, he had recourse to another artifice; he pretended to be taken violently ill, and kept his bed, and when the king sent some of the temporal lords to demand of him peremptorily, whether he would give security to render an account of what he had received by the vacancies of churches, during his being chancellor, and abide by the determination of the king's court? he returned for answer, that, if he was better, he would attend the king and his court on the morrow.

The next day he accordingly repaired thither; though resolved to give no account of his stewardship, but to insist on the liberties of the church, as the only thing that could screen him from the prosecution; and thinking that some religious solemnity, or rather mummary, such as would strike the people, might be of service to him: with this view he proposed to walk to the court bare-foot, attired in his pontifical robes, and to take the cross of Canterbury in his hand, into the king's presence, to petition there for the peace of the church, as if the Christian religion was under persecution by calling upon a rebellious subject and a fraudulent treasurer to give up his accounts. His clergy, however, dissuaded him from his first design, and he laid aside his pall and mitre, and wearing his other sacred vestments, with his cope above them, the cross being carried before him, proceeded in that manner to the king's court, on horseback. When he came into the outer court he alighted, and taking the cross into his own hand, proceeded thus into the king's chamber, where he sat down, holding it erected.

Every one present was struck with amazement at his folly and insolence; the bishops, in particular, were covered with shame, and one of them told him, that it looked as if he came prepared to set the whole kingdom in a flame, and to put his sovereign at open defiance: he represented to him the ill consequences of such a vain-glorious and insulting conduct, and tried to persuade him to deliver the cross to the bishop of Hereford, who offered to carry it for him; but in vain, he would not comply. At length, the archbishop of York, no longer able to bear with his obstinate insolence, told him, that notwithstanding the cross was in his hand, he would find that the king carried much sharper weapons. Becket replied, it was true, the king's weapon could kill the body, but his destroyed the soul and sent it to hell.

This answer, which seemed to threaten the king and the court with excommunication, was carried to Henry, then sitting in an inner chamber, who was so provoked at this traitorous menace, that he sent for all the nobles and prelates to attend him, and complained loudly of Becket's intolerable insolence in entering his court in such a presumptuous manner. The whole council joined in condemning this instance of his pride; and the prelates gave the king to understand that the archbishop had notified to them his intent of appealing to the pope against the sentence passed upon him,

and had, moreover, inhibited them from sitting in judgment upon him in relation to any matter he had done previous to his being elected primate. The king, provoked at this rebellious appeal, which struck at the very root of regal authority, and the constitutions of the land, told the bishops, that he hoped, nay he charged them upon their oath of allegiance and fealty, that they would continue to sit and consult with the temporal barons on the most effectual methods for humbling the pride of this overgrown subject, who aimed at no less than sovereign authority. The bishops, however, excused themselves from violating the inhibition laid upon them by Becket, as they well knew the great warmth of his temper, and feared that, thus armed with his cross, he should denounce against them the sentence of suspension or excommunication; but promised that they would all join in a counter-appeal to the pope, and get this turbulent primate removed.

The king, taking them at their word, dispensed with their sitting as judges, notwithstanding the express stipulation of the XIth article of the Constitutions of Clarendon; and the prelates, being thus extricated from their greatest difficulty, seemed warmly to espouse the king's cause, and sent a message to the archbishop, complaining of his having laid them under the necessity of contravening the Constitutions of Clarendon, by one of which they were expressly bound to sit in judgment with the king's barons: they reminded him of his having been the first who swore to these Constitutions; and concluded with telling him that they appealed to the pope against his unjust and oppressive inhibition. To which the primate replied, that neither he nor they were bound by the Constitutions of Clarendon, because their oath implied a salvo for their order; and those Constitutions had been condemned by the pope, whose authority was superior to all earthly laws: a subterfuge worthy the father of lies, and dictated by the spirit of disloyalty.

The king next sent some of the lay nobility to expostulate with the archbishop, and to bring him, if possible, to a sense of his duty: but his answer was so full of insolence and evasion, that the king, no longer able to bear with it, demanded judgment of the court upon Thomas Becket, archbishop of Canterbury: he was accordingly declared guilty of perjury and treason. Then the earl of Leicester, one of the justiciaries of the kingdom, going into the room where Becket had all this time remained, told him, that it was the king's pleasure, that he should either come before his majesty's court and acquit himself of the crimes laid to his charge, or submit to his sentence, which he was ready to pronounce. Hereupon the archbishop, starting up hastily, told the earl, "that when he was elected to Canterbury, upon asking what manner of person that would make him, he was told that it would free him from all engagements to the court†, and therefore he would make no answer about such things from which he was freed: that he was their father; and that it did not become them, who were only barons of the king's court, lay powers, to pretend to sit in judgment upon their father; nor would he hear their sentence, inasmuch as he had disclaimed all courts of judicature

but that of the pope, to whom he appealed, and under whose protection he would now retire." So saying, he walked with his cross to the door, which was immediately opened at his desire, and he marched out amidst the repeated hootings of the populace, who called to him to stay and hear his sentence; but, regardless of their outcries, he mounted his horse, and passed unmolested to the convent of St. Andrew, from whence he sent three bishops to ask a licence and safe-conduct for his departure; but the king deferring his answer till the next day, he was afraid of being arrested, and went off privately in the night with only two servants. At first he went northwards towards Lincoln; but then altering his route, he travelled by night, and rested all day; at last he got to Sandwich, and putting to sea in a small vessel, on Tuesday, November 2, landed the next day near Grave-lines, in Flanders.

Were not this transaction so circumstantially related by authors who were on the spot, it would be almost incredible that a subject should have the boldness to wrest himself out of the hands of justice. It must, however, be confessed, that Henry's conduct in this affair is far from being blameless: the original suit against Becket was frivolous and vexatious; and, supposing the charge to be proved, the punishment was too heavy for the crime, which happening to be in rent, it ought to have been regulated by the custom of that county (Kent) where it was committed, which gave no more than forty shillings for such offence. The material charge against this prelate was his endeavouring to withdraw himself from the civil power, and setting up the authority of a foreign prince against that of his own sovereign and liege lord.

When the archbishop's flight was known, the next day, which was the eighth of the session, the king consulted with the council, concerning the measures most proper to be taken on this occasion; and it was resolved not to seize the revenues of the see of Canterbury, nor remove any of Becket's officers. The rest of the day was spent in debates about raising a body of foot to be sent against Rees, prince of South Wales, who had broke his late homage; and a certain number of men being promised by every ecclesiastic and layman, for the king's service, the council was dissolved.

Henry was very solicitous to prevent the escape of the archbishop abroad, but finding he had eluded his vigilance, he lost no time in dispatching the archbishop of York, with the bishops of London, Worcester, Chichester, and Exeter, two earls, two barons, and three of his chaplains, to accuse him to the pope, and solicit his being deposed: he wrote also to Lewis the Young, of France, and Philip, count of Flanders, charging the archbishop with treason, and desiring them not to shew him any countenance, nor receive him within their dominions. But, notwithstanding this request, Philip, as well as his brother Matthew, count of Boulogne, shewed the primate all possible civilities; and Lewis, who both dreaded and hated the king of England, and gladly heard that the quarrel between Henry and the archbishop had been carried to such a length, not only did Becket the honour of a visit at Soissons, and gave him assurances of

† This was, in all probability, the reason why he so suddenly threw up his post of chancellor, in hopes he should not be called to an account for any thing he had done in that

post: but as he had still kept the custody of castles and honours, even this is not to be admitted as an excuse for giving up his accounts.

his protection, but also wrote to the pope in his favour. Thus did jealousy and political interest induce that prince to urge the pope's authority in a matter so prejudicial to that of all crowned heads: he could not wound Henry but through his own sides; yet his extreme desire to embarrass that prince, made him overlook these considerations.

Henry had as ill success in his application to the pope as to the other sovereigns: the pontiff was then at Sens, and the king's ambassadors, who crossed the sea from Dover the same day that Becket sailed from Sandwich, could not, by all their intreaties and remonstrances, prevail on Alexander to enter into an examination of the affair till the archbishop's arrival, notwithstanding that they made use of the most alluring promises, having had orders from their master to offer the pope, in case he would agree to the deposing of the primate, an enlargement of the income of Peter-pence, which being paid hitherto only by copyholders, and not by all of them, in England, the king proposed to make it a perpetual tax, to be paid by every inhabitant in the kingdom for every house that had a fire in it; by which the value of this income to the see of Rome would have been augmented above a thousand pounds per annum, a very great sum in those days. Alexander, however, remained inflexible, and the ambassadors finding themselves put off with delays, and being ordered not to stay above three days for an answer, they desired his holiness to send two legates over to England to examine the dispute between the king and the archbishop, and to determine it finally; but he would not consent to this proposal, without reserving a liberty of appeal to himself.

The ambassadors were but a little way on the road from Sens when they met three hundred horse of Becket's train going thither; upon which they sent Guy, dean of Waltham, one of the king's chaplains, to see the manner of the archbishop's reception, which he found to be very pompous, all the cardinals going out of the town on horseback to meet him, as well as very respectful and affectionate on the part of the pope, who rose up to kiss and embrace him, and shewed him many other marks of great esteem.

The report which they made of these transactions to Henry, at their arrival at Marlborough, on Christmas eve, did not a little chagrin him; who, having called together a privy-council of his nobles, it was determined to sequester all the possessions of the see of Canterbury, and all the churches, chatels, and rents of the clergy that adhered to the archbishop; and accordingly, on St. Stephen's day, the king issued an ordonnance for that purpose; at the same time a proclamation was issued for the banishment of all Becket's relations and domestics, both clergy and laity.

About this time Frederic Barbarossa was laid under excommunication by the see of Rome. The parity of their circumstances naturally made him look upon Henry as the most proper person with whom he could form a correspondence and alliance. Accordingly, in the beginning of the year 1165, he sent over the archbishop of Cologne as his ambassador into England, to demand Matilda, the eldest daughter of Henry, in marriage for his favourite the duke of Saxony. Henry received his ambassador with all possible marks of distinction, but excused himself from coming to any agree-

ment in relation to this marriage on account of the young ladies nonage.

The Lent following, Henry thought proper to go over to Normandy, in hopes of preventing an interdict on the realm, which he most apprehended, by a personal conference with Alexander. Frequent messages had passed between them, treating of an accommodation, but without any effect; accordingly an interview was now proposed, and the time and place appointed. The king insisted that Becket should not be present; and this artful prelate, fearing that Henry might convince the pope of his misbehaviour, and of the reasonableness of the proceedings of the council, suggested to the pope, "that he might be imposed on by the king's fluent and plausible harangues, if himself were not present to interpret their meaning by what he knew of the inward sentiments of his heart, and his real designs." Thus did this very modest prelate at once arrogate to himself a power, acknowledged only in the Deity, who is the maker and searcher of all hearts, and overturn the papal claim of infallibility, by telling his holiness to his face, that he might be imposed upon! Nevertheless, such was his ascendant over this weak pontiff, that he refused to hearken to any conference with the king unless Becket was present; upon which Henry immediately broke off the intended interview.

Returning to England, Henry now took the field against the Welsh, whose incursions by this time claimed the most serious attention, they having, under the conduct of Rees, prince of South Wales, fallen upon Cardiganshire, expelled all the English subjects from thence, and carried off a prodigious booty.

The king's first operation was directed against Ruthland castle, which was then in the hands of the Welsh, and to which he laid siege. But as the princes of North and South Wales had entered into an alliance with each other, to shake off the English yoke, and were now become formidable, Henry did not care to trust to so small an army as he then had before the place, lest the enemy might find means to cut off his retreat, abandoned the siege of Ruthland, and marched back to reinforce his army. The Welsh, on the other hand, were no less vigorous in their preparations, and seemed determined to retrieve their ancient liberty, or perish in the attempt. At length both armies met, near Oswestree, in Shropshire, and a battle ensued, in which the English had greatly the worst, and were obliged to retreat. On this occasion Henry was guilty of so horrible and mean an act of cruelty as must for ever make him hated and despised by every person of humanity: in revenge for his late disgrace, he ordered two sons of each of the Welsh princes, whom he had in his power, to have their eyes put out, and afterwards to lose their virility.

This year died Malcolm, surnamed the Maiden, king of Scotland, and was succeeded by his brother William, a prince of great expectancy.

Soon after the Welsh expedition, Henry went over again to Normandy; where finding all endeavours in vain to bring the court of Rome to reason in the case of the archbishop, he resolved to provide against the worst, and therefore, during his stay, he enacted several constitutions, which, as they were to be observed over all his dominions, were transmitted into England.

By some of these, "All appeals, either to the pope or archbishop, were absolutely forbidden: the receiving and transmitting any mandate, either to or from either of them, and all suits and proceedings thereon, were to be punished with imprisonment. The chattels and possessions of all the pope's or the archbishop's adherents, and of all belonging to them, were to be seized and confiscated: and such clergy as, having livings or estates in England, were in foreign parts, and did not return upon the general summons published in all the counties in the realm, within three months, were to have their benefices sequestered."

By others, "All persons bringing any letters from the pope or archbishop, containing an interdict, were to be punished as traitors to the king and kingdom; secular clergymen, by the loss of their eyes and by castration; regulars, by amputation of their feet; laymen, by hanging; and leprous persons, by burning: and all bishops, abbots, clergy, or laymen, that should obey such interdict, were, with all their kindred, to be immediately expelled the realm, and their chattels sequestered." Orders were also given for "all the ports of England to be strictly guarded, and no person whatever suffered either to pass thither without the king's licence, or to go from thence abroad without letters of leave signed by the chief justiciary: and perpetual imprisonment was denounced against all such who should break this ordinance. Payment of Peter-pence to the pope was also forbid; but the same was to be collected, and deposited in the royal exchequer." The last article related to the bishops of London and Norwich, who had published in their dioceses the interdict laid upon the lands of Hugh Bigod, earl of Norfolk, and the excommunication denounced against his person by the pope, without a licence from the justiciary, in contempt of the Statutes of Clarendon, which subjected them to the forfeiture of their chattels; and orders were given for their prosecution before the king's justiciary.

These constitutions were sent to the chief justiciaries in England, to be observed and sworn to by all the nobility and people of this kingdom.

Henry, during his stay in Normandy, was employed in making several useful alliances with his neighbours, and had an interview with the king of

France at Gisors; and likewise entertained his cousin Philip, count of Flanders, at Rouen: and then returning to England, kept his Christmas at Oxford. Here William, the successor of Malcolm, came to pay his homage for the estates he possessed in England; and at the same time made a formal requisition of the county of Northumberland from Henry, who knew too well its importance to his own crown to part with it readily. Nevertheless, he found means to amuse the Scottish monarch so well, that we find him the ensuing year, 1166, accompanying Henry into Normandy, whither he seems to have gone in order to make a party against that of Becket at the court of Rome. To effect this purpose he could devise no readier expedient than that of encouraging crusades and other expeditions against the Infidels. Accordingly, by the mediation of the king of France, this year he promised to grant four pence upon every hide of ploughed land for those purposes. The archbishop, apprehensive that this would gain Henry credit with the pope and the Christian princes of Europe, renewed his intrigues and fulminations. Henry in return sent word to the abbot of Pontigny, who, by the pope's recommendation, had entertained the archbishop for the last two years, that if he gave him refuge any longer, he would banish all the monks of his order out of England. This severity, instead of hurting the archbishop, did him singular service, for the king of France now took him under his own protection, and allowed him a generous maintenance. The pope at the same time did all he could to mollify Henry, but the king was deaf to all intercession.

The archbishop, exasperated at the king's rigour, excommunicated all that adhered to the Constitutions of Clarendon, and particularly some lords of the council; who, however, despised his censures. At length, finding Henry was bent to maintain his ground, he wrote several insolent letters to the king himself, in which, among other things, he asserted that the secular power being subject to the ecclesiastical, Henry ought to part with the ancient customs and regalities of his crown. One of these letters we have inserted in the note, as a piece very proper to discover the character of this prelate; and its authenticity comes warranted to us from Ralph Diceto, Hoveden, and Matthew Paris*.

* Thomas, Archbishop of Canterbury, to the King of England.

"I have most earnestly desired to see you; and although I cannot deny, that in this I had a view to my own, yet was it your interest that lay nearest my heart. I was in hopes that when you should see me again, you would call to mind the many services I have done you, with all imaginable regard and affection. For the truth of which I appeal to him who is to judge all mankind, when they shall appear before his tribunal, to be rewarded according to their deeds. I flattered myself that you would be moved with compassion towards me, who am forced to beg my bread in a strange land, though, by the grace of God, I have plenty of all things necessary for my subsistence. I receive, however, great consolation from the words of the apostle, 'They that live in Christ, shall suffer persecution;' and likewise from that saying of the prophet, 'I never saw the righteous forsaken, nor his seed begging their bread.' As to what relates to you, I cannot but be sensibly affected with it, for three reasons: first, because you are my liege lord; secondly, because you are my king; thirdly, because you are my spiritual son. As my liege lord, I owe and offer you my best advice; such, however, as is due from a bishop, saving the honour of God and the head of the church. As my king, I owe you a profound respect, and withal am bound to direct my admonitions to you. As my son, it is my duty to correct and exhort you. Kings are anointed in three places, the head, the breast, and the arms; which denote

glory, holiness, and power. We find, from several instances taken from the Scriptures, that the kings who despised the commandments of the Lord, were deprived of glory, understanding, and might: such were Pharaoh, Saul, Solomon, Nebuchadnezzar, and many others. On the contrary, they that humbled themselves before God, received a larger measure of grace, and in greater perfection: this was experienced by David, Hezekiah, and some others. Take, therefore, my liege lord, the advice of your vassal; hearken, my king, to the admonitions of your bishop; and receive, my son, the corrections of your father, lest you are drawn aside in schism, or persuaded to hold communion with schismatics. All the world knows with what honour and devotion you received the pope, how respectfully and zealously you protected the church of Rome, and what suitable returns the church and pope have made you. Remember, therefore, the declaration you made, and even laid upon the altar, at your coronation, to protect the church of God in all her immunities: restore the church of Canterbury, from which you received your authority, to the state it was in under your predecessors and mine; otherwise, be assured, that you will draw down on your head the wrath and vengeance of God."

This letter was little capable of appeasing the incensed king; and, indeed, it is very hard to believe that the writer thought it proper for that end, or penned it with that intent.

Henry,

Henry, when he was last in England, had left his queen, Eleanor, regent of his French dominions. Either her sex, or the encouragement they met with from the earl of Brittany, had induced the nobility of Maine to disturb her administration; Henry, therefore, took this opportunity of being on the continent, to march an army both into Maine and Brittany, by which he effectually quelled the revolt. The earl of Brittany, finding himself too weak to cope with the king of England, made a treaty with him, and agreed to give his daughter Constance to Henry's third son Geoffrey; at the same time he put the greatest part of his estate into the hands of Henry, as guardian for the young pair, and the latter accordingly took immediate possession.

About the beginning of the year 1167, a war broke out between Henry and Lewis king of France, whose minds had been irritated to a mutual animosity by the affair of Becket: and now the king of England falling upon the territories of the count of Auvergne, who had rejected his arbitration in a dispute with his own nephew, the king of France espoused his cause, and invaded the Norman Vexin. Henry marching to the defence of that country, conferences were opened between him and Lewis, on the subject of a treaty; but the French nobility being averse to an accommodation, the war was renewed with great fury on both sides, until the two monarchs, unwilling to subject their dominions to such cruel ravages, agreed to a truce, during which the king of England marched into Brittany, and reduced Guiomar, viscount of Leon, who had revolted.

While he was thus employed, he received tidings of the death of the empress Maud, his mother, which happened on the tenth of September, 1167. Her experience and misfortunes had rendered her, in her old age, an excellent counsellor to her son: she was convinced of his equitable intentions in the dispute with the archbishop; she justified his zeal for the customs and prerogatives of the crown; but she disapproved of the written constitutions, which she thought might have been omitted, without any prejudice to the regal authority.

The pope and Becket, taking advantage of sentiments so favourable to their cause, had solicited her to employ her interest with the king her son, in order to bring matters to an accommodation. This she had engaged to do; but being prevented by death, the business was left to William de Pavia and Otho, the legates a latere, sent by the pope with full powers to negotiate a reconciliation between the two jarring parties: but Becket having complained to the pope, that he was apprehensive the legates were too much in the interest of Henry and his clergy, they were hardly set out when he clogged their powers with restrictions that prevented them from giving a final decision. The king, therefore, and all his friends, were clearly of opinion, that the pope intended only to amuse him. In the interim, Becket's adherents and counsellors, dreading that Henry would come to extremities, advised him to give his sovereign some satisfaction. He answered them, that he was ready to come to an accommodation, saving his honour, the church's possessions and his own, and the rights of others. So many salvos sufficiently bespoke his little inclination to relax; however, his friends, who had still so good an opinion of him as to be-

lieve he would sacrifice his private interest to the peace of the church, made him another proposal, viz. whether he would agree to resign the archbishopric, in case the king would, upon that condition, give up the Constitutions of Clarendon? To which the pride-sworn priest answered, "that the proposal was unequal, since he could not renounce his dignity without betraying the cause of God and of the church, whereas the king was bound in conscience to annul his new laws." This reply, and the limited power of the legates, entirely destroyed all the king's hopes of reconciliation upon any tolerable terms; and as the empress, his mother, was now dead, he found himself freed from a powerful advocate in behalf of the archbishop, and therefore resolved to strengthen himself against his cabals, and those of the pope and the court of France, by cementing a strong alliance with the princes of Germany.

He began with Alexander, over whom he had, at this time, a fair opportunity of holding the scourge of resentment, by giving him to understand that he would withdraw his obedience from him, and recognize Paschal III. an antipope, who had been set up against him, and even went so far as to notify these as his intentions to several princes of Germany. But Alexander, who knew perfectly well that the great interest he had with the bishops and clergy of England would fully secure him from any disagreeable consequences of this nature, affected to treat the menaces of Henry with great contempt; and sent a letter to the king, in which he enjoined him, by the duty and reverence he owed to holy church, to annul the Constitutions of Clarendon.

Whatever advantage the king had hitherto gained, he wanted to get rid of this troublesome business, which obstructed several great designs he had formed, and in particular the conquest of Ireland; he therefore took occasion from the truce then subsisting between him and Lewis of France, to desire the latter to appoint a place where they two might have an interview with the archbishop, to hear what he had to say in his defence. Lewis agreeing to this request, Becket appeared before the two kings, at a village near Paris; but the primate was so unreasonably obstinate and haughty, that the king of France and the legates could not help confessing that his behaviour was the only obstacle to a re-union. At this interview Henry put the desired pacification upon so fair an issue, that nothing but the most audacious and virulent rebel could have withheld his consent: "Let the archbishop (said the king) only act towards me as the holiest of his predecessors have behaved towards the meanest of mine, and I shall be satisfied." The two kings parted at night, without taking the least notice of Becket; and Lewis for some days, neither made him a visit, nor supplied him with provisions. But this seems to have been only a piece of dissimulation; for finding his account in tormenting the troubles in England, he soon after admitted the archbishop into his former familiarity and friendship. It was to no purpose that Henry sent the bishop of Seez and Geoffrey Riddel to expostulate with Lewis upon his maintaining and patronizing a man who had rejected every reasonable proposal that his sovereign had condescended to make towards a reconciliation; the French monarch only returned an evasive answer, which

shewed him to have taken his party beyond recall.

Becket, relying on the friendship and protection of the French king, resolved to proceed to the utmost extremity of church-censure against the king and realm of England; a step which he had hitherto been restrained from taking by the inhibition of the pope.

A sentence of excommunication was, in those times of ignorance and superstition, a most dreadful punishment: besides depriving the person thus stigmatized of the use of the sacraments and other religious privileges, it expelled him in a manner from the bosom of civil society; his character was considered as infamous and detestable, and every one shunned him as if he had been infected with the plague; so that it was almost as terrible as what the Romans called interdicting from fire and water.

Henry, provoked at these proceedings of the archbishop, appealed to a future council, and sent the pope word, that, unless he immediately dispatched legates with power to decide the affair, he would, without any further hesitation, join the party of his rival and competitor in the pontificate. This menace threw Alexander into great perplexity, as he could not but dread the union of Henry with the emperor: accordingly he appointed Gratian and Vivian, two cardinals, his nuncios, to treat with Henry, and, if possible, obtain the restoration of the archbishop.

In the mean time Henry found himself disturbed by some commotions raised in Poitou and Guienne, by a number of discontented barons, who had entertained a secret grudge against his person; and they had met with so much encouragement from the French king, that, towards the latter part of this year, 1167, the counts of Angoulesme and la Marche, the viscount of Thouars, Aumeri de Lusignan, Robert and Hugh de Sully, and several others, broke out into open rebellion, and ravaged the country with great barbarity. Henry had the more reason to be incensed at this perfidious conduct of the French king, as the truce between the two crowns was not yet expired: he therefore, in the fury of revenge, put himself at the head of his troops, and marching against the rebels, reduced them to such straits that they earnestly wished to make their submission, but were withheld by reason of their having given hostages to Lewis for their not treating without his consent.

This being told to Henry, he resolved to remove that obstacle; and accordingly, having strongly garrisoned the castles he had taken from the rebels, he made his queen, and Patrick d'Evreux, earl of Salisbury, regents of the country during his absence, and went, in the spring of 1168, to confer with Lewis, at a place called Plesey, in order for an effectual pacification, or at least to renew the truce, then near upon its expiration. After much time spent in mutual upbraidings and altercation between the two kings, all that Henry could obtain was a lengthening the truce till the ensuing month of June.

Henry had hardly set out for this conference when he received news that the barons of Poitou, taking advantage of his absence, had risen anew, and treacherously murdered the earl of Salisbury; an act for which Henry would have taken an instant and exemplary revenge, had he not been ob-

liged to direct his cares and attention to another quarter. The people of Brittany having taken up arms at the instigation of Eudo, count of Penthievre, with an intention to shake off their subjection to Henry, and actually entered into a treaty with the French court, and delivered hostages as in the case of Poitou.

Henry, ever active, vigorous, and expeditious in all his measures, lost no time in marching with an army into Brittany, where he soon took and demolished the castle of Jocelin and Avaliac, Eudo's strongest fortresses; reduced Vannes, with all the county of Penthievre, and half that of Cornouaille; and having laid waste all the rebels lands, marched back, and fell upon the country about Dinan and St. Malo, which he treated in the same manner. And now the French, thinking they might carry on a war with success while the Bretons, Poitevins, and their neighbours continued in their rebellion and diverted a great part of Henry's forces, the conferences for a further extension of the truce were broken off, and the war became immediately renewed.

The king of England prepared for it with his usual caution; and, not to have too many enemies on his hands at a time, he found means, by a considerable pension, to make up all difference with Matthew, count of Boulogne, who had, the year before, fitted out a fleet of six hundred vessels to invade England, but now engaged in the service of Henry. Accordingly, having got together a body of forces, he was on his march to join the latter, but was refused a passage through the territories of John, count of Ponthieu, and obliged to be at the trouble and charge of a sea-voyage.

Henry, resenting this refusal of the count of Ponthieu, fell upon that county, and ravaged it with fire and sword, burning above forty towns. But whilst he was thus employed, the king of France, making a sudden incursion into the frontiers of Normandy, surprized and burned Chênebrun, near Vernuëil. Henry, advancing to oppose the enemy, who retired upon his approach, cut off part of their rear, took the seneschal of the count of Flanders, with several other knights, prisoners, and over-ran the province of la Perche.

In these and the like skirmishes was the war carried on, without any action of importance; for though the two kings commanded their respective armies, and were equally valiant and expert in military operations, yet they both seemed industriously to avoid coming to a general engagement.

And here Henry gave a signal proof of his great prudence, and of his steady adherence to the principles of the religion he professed; for, notwithstanding the embarrassed situation of his affairs, and the great need he stood in of a powerful assistance to make head against the numerous enemies with which he was beset, he, with great nobleness of soul, rejected the offers made him by the emperor and princes of Germany, of sending him large succours, and making a powerful diversion in his favour, by invading the French king's territories, provided he would declare with them in favour of the antipope Paschal (Guy de Crema), and in case of his death (which happened soon after) for his successor Calixtus.

Queen Eleanor had gone over to England at the latter end of the last year, to prepare matters for sending away her daughter Matilda to the duke of Saxony,

Saxony, to whom she had formerly been contracted, the elector of Cologne, and other ambassadors, having been sent to convey her to her husband. The young princess accordingly went to Germany this year, taking with her a prodigious sum of money for her dower, which had been raised by a general tax from all the knights fees in England, and by a fine of five thousand marks laid upon the Jews for liberty to reside and traffic in the kingdom.

The nuncios appointed by the pope to adjust matters between the king and Becket, arrived in the month of August of this year, at Domfront, in Normandy, where they delivered letters from his holiness to Henry, pressing him to restore the archbishop to his favour, and referring him to the bearers for a farther explanation of his desires. Henry hereupon called a council of his prelates, both English and Norman, at Bayeux, in which he declared that he was ready to comply with the pope's request and take Becket again into his royal favour, provided the nuncios would absolve all his nobles and prelates then present, of the excommunication which had been denounced against them by Becket, and go over into England to do the same there. The nuncios objected to this proposal, nor could they be brought to consent till Henry had fixed a day on which the reconciliation between him and the metropolitan was to take place.

Henry, to shew his readiness to stop the breach, through which so much confusion had made its way into his kingdom, consented to these terms; and the agreement was accordingly drawn up in writing by the bishops. The king having ordered a salvo for the dignity of his kingdom to be inserted, this was readily admitted by the bishops; but the friends and partizans of Becket, well knowing the treacherous use they themselves had made of their usual salvos for their order and the liberty of the church, to set aside the obligation of the most solemn oaths, excepted to it, as serving to establish the customs of the realm and banish the papal authority out of England. The nuncios insisted upon its being expunged, otherwise they would retract their promise. The archbishop of Rouen proposed to substitute another in its stead, by which the king should engage to restore Becket to his see, and his clergy to their benefices, in as full and ample a manner as they had enjoyed them before the beginning of the dispute.

On this occasion the king made no difficulty of complying with the proposed amendment, but still insisted that the salvo clause should remain entire; which the nuncios as peremptorily refused, and departed without doing any thing more in the negotiation. Hereupon Henry sent Reginald de Salisbury and Richard Barre to the court of Rome, to support this article, with orders to acquaint the pontiff, that if he would not take off Becket's excommunication, he should be obliged to provide for his honour and safety, and that of his dominions, in another manner.

Henry with reason imagined that the intrigues of the French court were the chief obstacles to the accommodation he so much desired, and therefore he exerted all his endeavours to subdue the revolted barons, from whose insurrection Lewis hoped to

derive great advantages: and their confederacy being altogether dissolved by Henry's activity, and departure of Guy de Lusignan for Jerusalem, of which he was afterwards chosen king, made the king of France more tractable; and in a conference held in the beginning of January, 1169, at Montmirail, the two kings adjusted all their differences.

Henry had by this time made over Normandy, le Maine, and Anjou to his eldest son Henry; Poictou and Guienne, to his son Richard; and Brittany to Geoffrey, who held it as a fief depending upon Normandy, and swore fealty to his elder brother. Lewis, as lord-paramount of all these fiefs, confirmed this disposition, and young Henry did homage to his father-in-law Lewis, and his young son Philip Augustus, for Anjou, Maine, and Brittany, having taken the oaths for Normandy on a former occasion. Richard, who was contracted to Adalais, or Alice, another daughter of France, did homage for Guienne. Henry himself was restored to the office of seneschal or high-steward, which had been hereditary in the counts of Anjou; and on Candlemas-day served the king of France at table, in the same manner as has been since done by stewards of the household; the great offices of the crown and household not being then distinguished as they were afterwards.

In consequence of this treaty, prince Geoffrey, going in May to Rennes, received the homages of the nobility of Brittany: and as the king of England was not restrained by any article of the late treaty from punishing the insurgents of Guienne and Poictou, he demolished their castles, and obliged them to return to their allegiance. Then returning to Normandy, he built the strong fortrefs of Beauvoir, in Lions; made broad and deep ditches on the frontiers of his Norman dominions, to prevent the incursions of the neighbouring princes and petty counts; erected fisheries in the river Mayenne; and ordered those high banks (now called the Levée) to be raised along the north side of the Loire, to keep that river from overflowing its bed, which it had been wont to do, to the great damage of the adjacent country.

The peace between the two crowns did not, however, produce the like in church-affairs, the dispute between the king of England and the archbishop still continuing, notwithstanding that Lewis, who was now heartily reconciled to Henry, endeavoured to mediate a peace between them. Several conferences were successively held, but all without effect, through the extreme obstinacy and arrogance of Becket, who, though he would sometimes make a kind of submission, always took care to clog it with his old salvos, of the honour of God and his own order; but Henry would admit of no such evasion. At one of these conferences the pope sent a letter to Henry, in which he threatened to give Becket full permission to use the legatine power, with which he had invested him, to lay his kingdom of England under an interdict, in case he did not restore that prelate to his see. When this letter was delivered to Henry, he answered, that he would consult the bishops of England upon the subject, but fixed no day for an answer, so that all hopes of a reconciliation entirely vanished*.

Upon

* This contest furnishes us with a striking proof of the fatal effects of deviating from ancient forms, and introducing new precedents. In the Saxon times the clergy and laity took

the oath of allegiance in the same form of words, without any variation. This form continued from the Conquest to the time of Henry I. when Anselm scrupled to take the oath, on pretence

Upon this occasion, however, the majority of the council seem to have been offended with Henry for his inflexibility, in not accepting of the archbishop's submission with the salvo tacked to it, inasmuch, said they, as his holiness, when he absolved the primate from the oath he had taken to observe the statutes of Clarendon, had laid him under a solemn promise not to enter into any new obligation without expressly saving the honour of God and his own order; and the archbishop of Rheims, with several other French prelates, wrote to the pope, acquainting him of the affair, and advising him to support Becket to the last extremity.

Never was ecclesiastical impudence and arrogance carried to so high a pitch! One priest, in a little corner of Europe, takes upon him to exact a promise from another priest, the subject of another prince, that he would never bring himself under an obligation to observe the laws of the land, under whose protection he lived, without reserving in his own hands a power of violating those laws whenever it suited his interest or inclination; the sovereign of this rebellious subject refuses to indulge him with such a dangerous liberty; upon which, all those of the fraternity of this latter join to accuse the prince of obstinacy and perverseness: what justice! what reasoning! But is it not still more astonishing, that most of our historians, who have mentioned this fact, should speak of it as if they thought the king ought to be blamed, and the primate commended, or at least pitied!

Henry, however, was fully sensible of the great interest the above-mentioned prelates had at the court of Rome, and therefore resolved to avert the fatal consequences which might ensue from an open rupture with that see. With this view he sent ambassadors to the pope, desiring a farther respite from the interdict for himself and kingdom, until other measures could be taken for a reconciliation. If any part of Henry's conduct in this affair was blameable, it was this mean condescension, and that which afterwards followed in recalling the reverend incendiary upon his own terms; since the king ought not to have gone so far, or else to have maintained his dignity and independence even at the hazard of his crown and life. But to return.

The pope complied with Henry's request; but, as the king was uncertain what turn affairs might take, he very prudently provided for the worst, by enforcing the regulations which had lately been made to prevent the bad effects of an interdict, with some small alterations, such as relaxing the severity of the penalty in certain instances. The return of such English clergy as were abroad was fixed to the thirteenth of January: after which it was criminal to make any appeal to the pope or archbishop, or to observe any mandate of theirs, &c.

tence of its being contrary to some papal decrees and ecclesiastical canons, made since the accession of William Rufus.

Other prelates, in imitation of his example, began to entertain the same scruples; and to the oath of fealty which they took to the king, they added a clause for saving their order and the honour of God. This, at first, was probably considered as no more than a harmless expedient, for satisfying the tender consciences of some weak but well-meaning bishops, whom the king was willing to oblige, little thinking they would ever make it a pretence for invalidating their oath of allegiance, for denying such prerogatives of the crown as did not tally with their interest, and for violating the laws of the land whenever they seemed to clash with papal decrees or canons.

Whether this clause was introduced in the reign of Henry I. or at the accession of Stephen, when the prelates dictated the

By this time, however, Henry was heartily tired of the dispute, and resolved to recall the archbishop without insisting upon his oath, or promise to conform to the Constitutions, which had been the source of so much altercation and anxiety. One reason for his acting in this manner, seems to have been, that he thought he should be better able to deal with that haughty priest in his own kingdom, than while he enjoyed the immediate protection of foreign potentates.

This resolution was so contradictory to what he had declared in the last conferences, that he found himself under the necessity of using artifice to bring about his purpose, without appearing to stoop too low, or to be influenced by fear, or the exigence of circumstances, in taking this new step. With this view, pretending a journey of devotion to St. Denis, he surprized the king of France with a visit at Montmartre, near Paris. Their conversation turned upon the difference between Henry and the archbishop; and Henry, that he might conciliate the favour of the French, artfully declared, in the presence of all that court, that he was willing to refer all the differences between him and Becket to the Gallican church, or to that of a certain number of learned men, collected from different quarters. These offers were so plausible, that Henry in a great measure regained the public esteem: and now the king of France, who was very desirous to compromise this matter between the two parties, sent to Becket, who was in waiting hard by, desiring him to commit to writing all his demands. These being drawn out, were as follow:

"That the king, for the good of his soul, would receive him again into his favour, according to the pope's command.

"That he would grant him, and all those who were banished the kingdom on his account, peace and security for themselves and their effects, without an evil or sinister meaning.

"That he should restore to him the church of Canterbury, and all the possessions thereto belonging, in the same state of freedom and liberty as he had ever enjoyed them since he was promoted to the archbishopric.

"That the king should permit him to dispose of all benefices and prebends thereunto belonging, and that had become vacant since his leaving the kingdom, as he should think fit."

To the two first articles Henry readily assented, but objected to the last, because he had already filled up these vacancies, and could not, consistently with the dignity of his crown, reverse his own acts; in order, however, to manifest his inclination to peace, he offered to present him with a thousand marks to defray the expences of his return, and enable him to satisfy his creditors.

terms in which they would swear allegiance, is a point that cannot be easily determined; but having prevailed for some time, it came at last to acquire the force of a law, by the Constitutions of Clarendon, in one of which the prelates are said, before their consecration, to take the oath of fealty "with a saving of their order." Hence it appears that Henry, by opposing this clause, did not mean to prevent the introduction of a new custom, but to abolish an old one: but when it is considered that he wanted to abolish it because it was applied to a purpose which it was never meant to serve, namely, to invade the prerogatives of the crown, and even the privileges of the people, and that Becket endeavoured to support it for no other reason but because it furnished him with a handle to effect these wicked ends; the reader will then be able to judge whether the conduct of the king, or the primate, was most to be condemned.

Becket

Becket pretended that these mean profits would amount to a large sum; but the king of France, and all the nobility, both French and English, there present, persuading him not to obstruct the peace of the church by insisting on restitution, he agreed to wave the demand, and only desired some security for the performance of the agreement. But upon being expostulated with concerning the indecency of requiring security from his lord and sovereign, he said he would be satisfied with the kiss of peace from the king's mouth; but when the mediators intimated this to Henry, he rejected the condition, alleging that he should readily do it, but having sworn in his anger never to kiss the archbishop, though he should be reconciled, he could not give him the kiss proposed, and it was on that account only that he declined it, and not from any remaining rancour or ill-will to the archbishop.

Lewis and the other mediators expressed some surprize at this refusal, which to them appeared somewhat mistrustful; and therefore they simply reported the king's answer to the archbishop, without interposing either their advice or request one way or the other. The haughty prelate thinking he had now the fairest opportunity of being revenged on Henry, whom he well knew to stand in need of a reconciliation, to make him perjure himself in the presence of so august and numerous an assembly, insisted absolutely on the kiss, without which he positively rejected the proposed accommodation. However he found himself greatly disappointed in his expectations; for Henry, who was not yet reduced to such distress, burned with indignation at this villainous artifice, which he plainly saw through, and quitted the assembly without offering any other proposition. Thus ended the conference held at Montmartre, on the eighteenth of November; which, though it did not produce a peace immediately, laid the foundation upon which it afterwards proceeded, and was at last finally adjusted.

Henry had no sooner left the council than he dispatched John of Oxford, dean of Salisbury, and the archbishops of Rouen and Seez, on an embassy to the pope, with an account of what had passed at the conference, and an assurance of his readiness to restore the archbishop; nay, in order to remove the only remaining objection, he proposed that his eldest son should in his stead give the kiss of peace, which Becket so eagerly desired.

Alexander, pleased to see the peace so far advanced, approved the articles; and, on January 19, 1170, sent from Benevento a commission to the archbishops of Rouen and Seez, and the bishop of Nevers, to see it perfected and put into execution. They were instructed to admonish Henry to grant the kiss of peace to Becket, as the pope would absolve him of the rash oath he had made: but in case that the king refused to comply, then the commissioners were directed to persuade the archbishop, in his holiness's name, to accept the kiss of peace of prince Henry; nor was the peace to be retarded, even though the king should delay the payment of the thousand marks; but if, within forty days after they should have communicated their commission, and the pope's monitory letter to the king, the latter should retract the promise he had made, they were directed to lay an interdict, without appeal, on all his foreign dominions.

While these matters were in agitation, Henry assembled the states of Brittany at Nantes, where they swore fealty to him and his son Geoffrey: and having settled the affairs of Normandy, set sail for England, where he arrived on the third of March, 1170, after an absence of near four years, though not before he had been well nigh shipwrecked in a violent storm.

His long absence in Normandy had occasioned many abuses, both in the government and finances, which it was become absolutely necessary to remove. Accordingly Henry's first act, upon his arrival, was to call a parliament, or great council of the nation, which assembled at Windsor in Easter week, 1170, in which the kingdom was divided into circuits, and certain earls, knights, and clergymen appointed as commissioners to make a progress through these divisions, and take security of all sheriffs and bailiffs, and inferior officers for their appearance in the king's court on a certain day, to give an account of their conduct; or in case they could not appear personally before the king, they were to send persons who were to be answerable for them.

They accordingly made their appearance on the fourteenth of June, the day prefixed; and, after undergoing a very severe examination, several of them were turned out of their office.

An old historian has given us the articles of their examination, which, as they throw a great light on the history of England at that time, I shall here transcribe.

I. The first article of enquiry was, What sums the sheriffs had, during the four last years, received of every hundred, township, and particular man, to the grievance of the public or of private persons; what they had taken by judgment of the county or hundred, and what without judgment; distinguishing the sums so taken into different lists, with the cause and evidence upon which they were taken?

II. What lands the sheriffs, or their bailiffs, had bought, or received in pawn or mortgage?

III. How much and what the prelates, nobility, knights, and corporations of the realm, and their seneschals, bailiffs, and ministers had received upon their lands, for the same time, from their several hundreds, townships, and vassals, by or without judgment; putting down all their takings in writing, with the causes and occasion thereof?

IV. What and how much the king's officers, entrusted with the rents and profits of vacant prelates, and the custody of honours, baronies, and escheats, had gained in their employments?

V. What had been given, in any place, to the king's itinerant bailiffs, or officers?

VI. What was become of the goods of such as had either suffered by the assize of Clarendon, or fled out of the kingdom on that (i. e. Becket's) account; what had been received of every hundred, township, and person: whether any one had been wrongfully accused in that assize, for reward, promise, hatred, or in any unjust manner; or if any accused person had been released, or had his judgment reversed, for reward, promise, or affection, and who received the premium; what had been received in every hundred and township, and of every man, for the aid to marry the king's daughter, and who received it?

VII. What and how much the foresters and their bailiffs, or under-officers, had taken, for the said term, within their several districts, in what manner or on what occasion soever; and if, for any reward, promise, or friendship, they had remitted any of the king's dues, and the forfeitures of forests, or pardoned any that had forfeited on account of harts, hinds, and other game; and if the foresters, or their bailiffs, after attaching, taking security, or prosecuting any one, had released him without trial or fine? All persons guilty of these practices, were to be noted down; and all accused of any fault, were to give security to appear before the king on the day he should appoint, to do right according to law; or, for want of such security, to be imprisoned.

VIII. Whether the sheriffs, or the lords of manors, and their respective bailiffs, had returned any thing they had taken, or had made their peace with people, upon hearing of the king's return, to keep them from laying their complaints before him or his justiciaries?

IX. Whether any person had, for reward or affection, been excused or abated any thing of what he had been at first amerced, and by whom this was done?

X. They were to enquire, likewise, into every diocese, what, how much, and for what cause, the archdeacons or rural deans had taken from any one illegally and without judgment? The whole to be written down and noted.

XI. The last point of enquiry was, what persons owing homage to the king, had not done it to him, or his son? And of these a roll was to be made.

By these it appears that the sheriffs in those days had a great power as well in judicature, which they enjoyed during the reigns of the Saxon kings, as in levying the most considerable branches of the revenue, in which they were employed after the Conquest. We have here also the nature and original of itinerant justices, of which I shall speak more at large in another place.

This inquisition produced the most salutary effects, to the great ease of the subject and the establishing public tranquillity. But this was not the only design Henry had in view in calling this court; he had conceived one of much greater importance, but which he thought proper to conceal till the accomplishment of it, lest the turbulent primate should fall upon some means to obstruct it. He well remembered the little regard the English had shewn to oaths of eventual fealty, in the case of his mother, the empress Maud, and therefore resolved to have the crown placed upon the head of his eldest son, Henry (now in the sixteenth year of his age), during his own life-time. With this view he adjourned the assembly from Windsor to London, for the fourteenth of June, the day fixed for the report of the grand inquest and the examination of the delinquents. The assembly would necessarily be very full, and perhaps the most numerous ever known in England; it was therefore the most proper for executing this great measure.

The king, as I have observed, seems to have been very careful in keeping his design secret till

the very day of its execution, for the nobility and prelates imagined they were assembled for no other purpose than that of trying the sheriffs; and the young prince himself was ignorant of his intentions, until he arrived in England, two days before the coronation.

When the affair came to be proposed to the assembly, it met with no opposition, and the only difficulty was with regard to the prelate who was to perform the ceremony. It was generally understood to belong to the archbishop of Canterbury; but on this occasion, it was performed by Roger, archbishop of York, who had lately obtained from the pope legatine powers for Scotland, as also a bull granting him the eventual privilege of crowning the king of England, as some of his predecessors had done. Accordingly he placed the crown on the head of the young prince*, assisted by the bishops of Durham and London. The ceremony being over, William, king of Scots, and his brother David, with all the earls, barons, and franktenants of the kingdom, swore immediate fealty and allegiance to the new king. It was a new thing in England, to see a young prince vested with royal power in the life-time of his father, and therefore nothing could have been more happily imagined to pave the way for such a measure than the inquisition above-mentioned.

Young Henry, however, appears to have been little deserving of the great care his father took of his interests; on the contrary, he exhibited on this occasion a remarkable proof of that haughty and ungrateful disposition which afterwards caused his father so much trouble and uneasiness: the king, willing to confer every mark of parental love and distinction in his power on this his favourite son, would needs serve the first dish at his table with his own hands, at the same time saying, with a good-natured smile, "Son, you may now boast of being as honourably served as any monarch upon earth." Young Henry, instead of making the proper return to such an obliging instance of condescension in a parent, turned about to the archbishop of York, and whispered with a contemptuous sneer, "that he thought it no such mighty degradation, for the son of a petty count to serve the heir of a great king."

Becket, informed of what had been done with regard to young Henry's coronation†, foamed with rage and malice; but knew not what measures to take, in order to disturb the quiet of the kingdom, and frustrate the salutary effects the king hoped to reap from this wise precaution. At last he applied to the court of France, as the most likely quarter from whence he could hope for assistance in these his traitorous and iniquitous designs. Accordingly he endeavoured to incense Lewis against the king of England, by representing to him, that the latter had put a gross insult upon his daughter, by not sending for her over from Normandy at the same time with her husband, to be crowned together with him. Lewis, either giving into this belief, or being willing to thwart Henry, endeavoured to raise some disturbances; but they all proved of none effect, to the infinite mortifica-

* With the assent and consent of the clergy and commons: "Clero & populo consentientibus & assentientibus." Hoved. p. 518.

† Which, though it was the first of its kind in England, was not without precedents in other countries. All the kings

of France, from Hugh Capet down to Philip Augustus, had taken the like step; nor had it been attended with any bad consequences, as it unhappily afterwards proved to be in the present case.

tion and confusion of the busy prelate, who, finding himself thus baffled, had recourse to the mean arts of falshood and deceit; for he wrote to the pope, that young Henry had neglected taking the accustomed oath for preserving the liberties of holy church; and not only so, but had even sworn to obey the Constitutions of Clarendon, which were absolutely subversive of the papal authority. Alexander, who implicitly believed all that was told him by the archbishop, and fired with indignation at this insult upon the pontifical power, ordered the primate instantly to let loose the thunder of excommunication against all the English bishops who had assisted at that solemnity.

This was too pleasing food to the rancorous disposition of this insolent prelate for him to delay an instant to gratify his malice and revenge; and the spiritual anathema was on the point of being let loose upon the devoted objects, when Gilles, bishop of Evreux, who had attended at the coronation, and was sent by Henry to lay the whole transaction before the pope, made so true a representation to his holiness of every thing that had passed thereat, at the same time assuring him that the young king had taken the usual oath for the conservation of the church's privileges, that Alexander found he had been imposed upon; therefore he suspended his orders for a general ecclesiastical censure, and confined it only to the archbishop of York and the bishops of London and Salisbury, whom he forbade to exercise their sacerdotal functions till his further pleasure should be known.

Henry, having now effected his great point, returned to Normandy in the month of June, where, about the tenth of August, he fell so dangerously ill, that he was generally reported to be dead. While he continued sick he made his will, whereby he bequeathed England, with the dukedom of Normandy, and the earldoms of Anjou and Maine, to his eldest son, Henry; to Richard, the second, he left the dukedom of Aquitaine, and its all dependencies; he confirmed his third son, Geoffrey, in the earldom of Brittany; and to John, his youngest son, he gave the earldom of Mortaigne. It pleased Heaven, however, that these precautions proved at that time needless, for Henry soon after recovered. As soon as he was able to take the field, he put himself at the head of an army, against the king of France, and entered the duchy of Berry. Lewis was not long before he appeared in arms likewise; but very little was done on either side, though both armies lay for some time in sight of each other: at length the two princes concluded a truce, to be in force till the ensuing spring.

By this time matters between Henry and the archbishop were come to extremities. The latter had so incensed the pope against Henry, on account of the coronation of the young king by the hands of the archbishop of York, which Becket interpreted as an additional insult offered to the rights of the see of Canterbury, that every thing was ready for launching the flaming bolt of interdiction upon all the kingdom, when Henry, who, notwithstanding the other great qualities of his soul, had strongly imbibed the prejudices of bigotry, found his con-

stancy shrink in the last trial, when the very day of interdicting his kingdom was fixed; and from this instant, from the gallant and brave opposer of the court of Rome, we are now to behold him crouching like an abject slave beneath the uplifted rod of papal tyranny. He appointed, he even entertained, another conference, which Fitz Stephens tells us was agreed to, and held at Fretteville, in a meadow, between Charton and Maine; here all differences were finally adjusted between the king and the archbishop. There were present at this conference, Henry, with some of his French and English nobility and prelates, on the one side; and on the other the archbishop of Sens, the earl of Blois, and most of the French nobility, both spiritual and temporal, together with Becket himself: Lewis of France was also to have been there; but having compromised his dispute with the king of England, who had promised him satisfaction for the pretended affront put upon his daughter, in not being crowned together with her husband, he thought it proper to absent himself, that Henry's clemency might appear the more free and unconstrained. The terms of the agreement were, that the king should receive the archbishop, and his exiled clergy, adherents, and relations, into his free grace and favour, and restore him to his rights and possessions in the see of Canterbury, to be by him held in the same manner as he held them for three months before he left England: that satisfaction should be made to the see of Canterbury for the violation of its rights in the coronation of the young king: mention was also made of the kiss of peace, but this Becket did not much insist upon. The principal points adjusted, Henry pressed Becket to go immediately to England; but he excused himself by saying that decency would not permit him to leave France till he had first waited upon Lewis, and others, who had shewn him so much friendship during his exile.

Meanwhile Henry saw himself on the eve of being engaged in a new war with the French king. He had lately paid a considerable sum to Henry de Vienne for Montmirail and the castle of St. Agnan, in Berry, which was the appennage of the duchy of Guienne; but he was hindered from taking possession by Theobald, count of Blois, who laid claim to those places, and was privately assisted with money and forces by Lewis: nevertheless, as neither party was fond of taking the field, the affair was compromised.

Becket's agents had, in consequence of the late treaty, been impowered to take possession of the archbishopric, and his clergy was restored to their benefices; but as six dioceses were vacant, the king resolved to supply them with prelates well affected to his person and government, before the return of Becket, who had formed a scheme to fill those vacancies with his own creatures. In order to prevent such a dangerous accession of power in a priest of his character, Henry ordered the bishops of York, London, and Sarum to repair into Normandy, with six deputies from each chapter of the vacant sees, that proper persons might be chosen for such important offices*. Geoffrey Ridel, arch-

* The filling up of vacant sees was considered as a right inherent in the crown, till the dispute about lay investitures in the reign of Henry I. when the choice of the chapter or convent became a necessary condition. The election, however, was not made by the suffrages of all the monks, or canons, but only by a deputation of their order. The king issued out

a writ, requiring them to come to court, and there make choice of a proper person, with the approbation of the bishops, who attended him on the occasion; and when the deputies had agreed with the bishops in nominating a certain person, or recommending three, of whom the king might chuse one, the royal assent rendered the election complete. To one of his sons

deacon of Canterbury, whom Becket looked upon as his bitterest enemy, was promoted to the see of Ely, though he died before his consecration; Reginald, son of the bishop of Salisbury, was elected into the diocese of Bath; and the other vacancies were filled up with prelates who were no great friends to Becket.

The archbishop having received pressing letters from the pope to set out for England, at the same time enjoining him to proceed with the greatest severity against the archbishop of York and the other four prelates concerned in the late coronation, he was eager to put his commission in execution before Henry could get over to England; and therefore notified to the king his being ready to depart, who thereupon gave him a letter to his son, for his readmission into England. It appears that Becket had carefully concealed from Henry his powers from Rome to inflict ecclesiastical censures on the five bishops, no mention being made of this matter in the king's letter to his son.

Henry sent John of Oxford, dean of Salisbury, to attend him to England, in the room of the archbishop of Rouen, who was to have gone, but excused himself on account of his great age and infirmities; and embarking at Whitland with a fair wind, he arrived at Sandwich on the first of December. Gervase de Cornhill, high-sheriff of Kent, and Reginald de Warenne, in quality of itinerant justiciaries, guarded the port with a number of armed followers; but Becket, in consequence of the king's express order, was exempted from the usual examination, and treated with greater respect and reverence than he deserved: for no sooner had he set his foot on shore than he dispatched away a messenger, with letters to the bishops of York, London and Sarum, notifying the suspension of the first, and excommunication of the other two.

Young Henry, who had always borne a great distaste to Becket, no sooner heard of these arrogant proceedings than he sent a message to him, remonstrating against the injustice and indecency of denouncing ecclesiastical censures upon persons who had been guilty of no other crime than that of setting the crown upon his head, in compliance with the orders of their lord and sovereign. But Becket, who had so lately triumphed over the father, hardly deigned to take notice of the son's complaint, returning for answer, that the sentence had been pronounced by a power superior to all kings.

Such a behaviour, one would have naturally imagined, seemed to set the archbishop and the young monarch at an eternal distance; but the former resolving to complete his farce, would needs go to salute Henry at Woodstock, where he resided, and to present him with three fine horses that he had brought over with him for that purpose; but his real aim in this visit was to make a triumphant entry into London, through which he was to pass. Accordingly he entered that city with a numerous and splendid train, and took up his lodgings at the bishop of Winchester's palace, from whence he proposed to set out for Woodstock the next day; but Henry, having gotten intimation of his design, and justly incensed at this ridiculous parade, which could answer no other end than to

dazzle the eyes of the multitude, and was insupportable insolence in a man just pardoned by his sovereign for crimes of the blackest dye; Henry, I say, on these considerations, and from the hearty aversion he bore him, sent him an express order to repair forthwith to Canterbury, and there to remain. Though this was a great mortification to the proud prelate, yet he thought proper to obey the order, and accordingly set forward for the capital of his diocese, where he was received by the meaner sort of people with solemn processions and hymns of thanksgiving; whilst the more considerate were sorry, and ashamed to see him affect this air of triumph; and that, far from being humbled by his long exile, he was grown more haughty. This was soon more apparently visible, when, mounting his archiepiscopal chair, he solemnly excommunicated Nigel de Sackvil and Robert Brock, with several of the king's ministers, officers of the household, justiciaries, and the most considerable persons in the kingdom*. This proceeding plainly shewed the insincerity of his heart in the late accommodation, and that he desired nothing so much as to revive a quarrel in which he had already gained such advantage over his opponents, and even majesty itself.

In the mean time the excommunicated prelates were gone to carry their complaints to the king, who was still in Normandy. When they came into his presence they threw themselves at his feet, and complained in a very pathetic manner, that, by the peace he had lately made with Becket, the terrors and troubles of those who had sacrificed themselves to his interest, were increased.

Henry could not without being greatly provoked receive the account of the censures laid upon the three prelates; for when he had agreed, by the treaty of Fretteville, to make the archbishop of Canterbury reparation for the invasion of the rights of his see, he never thought that insolent ecclesiastic had in view to wreak such revenge on those who had done nothing but by his particular directions and orders. He looked upon this step of the archbishop as a prelude to the like censures upon other bishops, and upon all that had employments under him: he saw his whole realm disturbed, and his very crown struck at, by an insolent upstart, whom he had raised from nothing.

The king was keeping the feast of the nativity at Bures, near Bayeux, in Normandy, with his prelates and barons about him. His resentment had already been raised to a high degree, by the representation of the prelates, but when he received intelligence of the fresh instances of Becket's arrogance and presumption, in the cases above related, he gave a loose to his indignation, and cried out, in all the anguish of affronted majesty, "Is there not one faithful subject left about me, that will rid me of this turbulent priest, who is the plague of my life?"

These words were certainly highly indiscreet, and seemed to put a poignard into the hand of any assassin who thought he should serve the king, by murdering a person who ought to have been punished only by the laws; nevertheless, Henry by no means appears to have meant any thing of that kind, as his subsequent conduct shewed these ex-

* He accused the former of unjustly detaining a manor belonging to the archbishopric; and the latter, of cutting off the tail of one of his sumpter-horses. Surely the cutting off

the tail of a prelate's horse is not an invasion of the privileges of the church!

*Becket's haughty Entrance into the Presence
of Henry 2. with the Cross &c.*



*To his Grace
Duke of
This Plate is most*



*Hen^y Somerset,
Beaufort,
humbly Inscribe.*

preffions were wrung from him in the first transports of his passion: unhappily they did not fall to the ground.

Four barons, or, as they are called, knights of the household, William de Tracy, Reginald Fitz Urfe, Hugh de Mereville, and Richard Brito, imagined, from the king's apparent commotion of mind, and the words he had let fall, that he would not be displeased if the archbishop was taken off. Whether they designed to kill him (or only to carry him off beyond sea, and there have confined him from all opportunities of raising any farther commotions in England) they swore to revenge the king's cause, and left the court privately on the twenty-sixth of December, took shipping at different ports, and, what is very extraordinary, met the very next day, and about the same hour, at the castle of Saltwode, six miles from Canterbury. They had not, however, kept their design so secret but that they were suspected of intending something ill; and the king being told of their departure, and the oath they had taken, dispatched messengers immediately to overtake them, and forbid their doing any violent action; but the couriers did not arrive soon enough to prevent its execution.

In the interim the king held a council, in which they deliberated on the proper measures to be taken for humbling the primate, when some were for prosecuting and putting him to death; others again, who were more prudent, represented that such a proceeding would be a direct violation of the late agreement: at length it was resolved to seize his person, and commit him to close custody. William de Magneville, earl of Essex, Saier de Quincy, and Richard du Hommet, were charged with the commission; and the latter of these going over to England, sent to Hugh de Gondeville and William Fitz John, counsellors to the young king, then at Winchester, to bring with all possible speed a party of knights from the court to arrest the archbishop of Canterbury, whilst himself kept watch on the sea-coast to prevent his escaping by any port; and the two first did the like on the other side of the water, at Whitsand and another harbour, to seize him if he should get over thither.

These measures for proceeding against Becket in a legal way were unfortunately rendered fruitless by the dispatch of the four barons, who being joined by twelve other knights at the castle of Saltwode, belonging to Ralph de Brock, proceeded directly to Canterbury. The chief business of these assistants seems to have been to keep all quiet within the town, whilst the four knights, entering the archiepiscopal palace with their followers, secured the great gates, and seized two or three knights of the archbishop's family. Then going to that prelate's apartment, they had a warm expostulation with him about his conduct, in which many bitter reproaches passed that enflamed the knights to a great degree: Fitz Stephens says, that what seemed most to incense them, was his maintaining that he

had the spiritualities of his see from the pope, and that he held nothing of the king but his temporals, at the same time upbraiding two of them with having received favours from him while chancellor. Whatever was their original design, they were so incensed by these reproaches, that they resolved to take away his life. They were as yet unarmed, and whilst they were putting on their armour, the archbishop might have made his escape; but he either presumed too much on his sacred character, or aspired to the glory of martyrdom: notwithstanding the intreaties of the monks, who apprehended mischief, he determined to assist at vespers, and passed through the cloysters of the convent into the church, followed by the conspirators, and receiving four wounds in the head, dropped down dead before the altar of St. Benedict.

Thus fell Thomas Becket, the victim of his own pride, obstinacy, and revenge, the reigning passions that constantly engrossed his mind, and leavened all his actions; and which, having created him a number of enemies, put them likewise upon desperate measures to screen themselves from his fury, being persuaded that no quarter was to be expected from a man of his implacable disposition. His immeasurable pride and lust of power rendered him impatient of any superior. Unable to bear the least contradiction, and fond of having the direction of all affairs, whatever post he was in, whether ecclesiastical or civil, he treated all those that opposed him with a virulence of behaviour, and a severity of vengeance, which neither suited the character of a Christian bishop nor a decent member of society. When he had any point to gain, he advanced without scruple the most infamous falsehoods, and vouched them as truths under the sanction of the most sacred oaths. It is easy to produce many instances of such falsehood used by him to blacken the character of a great king and a most kind patron, who had raised him by his favours to an unmerited grandeur, out of those very epistles of his which it was thought proper to select and publish as the most favourable to his cause and character; though, taking away the pompous declamations with which they are filled, and the cant terms of the Divine Laws and the Law of God (usually in those ages substituted instead of Papal or Ecclesiastical Canons, which is their true meaning), they furnish but a very wretched apology for his actions: yet such was the blind superstition of those days, that this audacious incendiary, who had been publicly condemned as a traitor by all the lords spiritual and temporal, and who deserved to suffer legally, was canonized and revered as a martyr, about two years and as many months after his death, by pope Alexander (for the interest of the papacy, and to stir up others to the like excesses) without the usual process in such cases, or any formal examination of witnesses to his pretended miracles*, and the twenty-ninth of December was appointed, by a bull directed to all the clergy and people of England, to be kept an-

* Gervase informs us, that such multitudes of miracles were immediately wrought at his tomb, that the number and nature of them, instead of satisfying the world, would, in an age less credulous, have created a suspicion of their reality. Neither Christ nor his apostles performed so many to prove the truth of Christianity, as Becket did to defend the privileges and immunities of the clergy. The monks affirm, that he not only restored dead men to life, but that he even raised the very beasts. They farther add, that being exposed to view in the

church, before he was interred, he rose out of his coffin, and went and lighted the tapers which had been extinguished; and that, after the funeral ceremony was over, he held up his hand and blessed the people. The fame of these miracles drew such an immense number of votaries from all parts of Christendom, that in the year 1420, no less than fifty thousand foreigners came on a pilgrimage to the shrine of this renowned martyr.

nually as a festival, in commemoration of Becket's martyrdom. Let us now resume the thread of our narration.

The conspirators, after the fact, reflecting on the nature and consequence of their action, retired to the castle of Knareborough, in Yorkshire, belonging to Hugh de Merville, where they staid near a year by themselves, without conversing with any one. At length, tired with their solitude, and in obedience to the king's command, they submitted to the pope's judgment, repaired to Rome, and afterwards made a pilgrimage to Jerusalem, to expiate their offence.

Henry, being thus freed from the disturber of his quiet, was in hopes to enjoy some tranquility; but he found that Becket when dead created him no less trouble than when alive. His enemies, the chief of whom were the king of France and the archbishop of Sens, omitted not so favourable an opportunity to raise him new disturbances: they boldly charged him with being the author of Becket's murder, and pressed the pope to unsheathe the spiritual sword against him. The earl of Blois laid before his holiness the breach of faith on the part of Henry, by breaking his agreement with the archbishop, offering at the same time to assert upon oath, that Henry had given up the offending bishops to the justice of the church, and that he had promised to give Becket satisfaction for having caused his son to be prematurely crowned.

Though it was very difficult to prove that Henry had any hand in the assassination, yet Alexander was willing to embrace this opportunity of humbling a prince who had so long and so nobly opposed the insolent encroachments of the papal chair. Accordingly a day was appointed for excommunicating the king, and laying this kingdom under an interdict; but Henry, who naturally expected something of this kind, had in his own mind prepared against any disagreeable consequences. With this view, in the beginning of the year 1171, he sent to Rome a splendid and numerous deputation of his own subjects and servants, at the head of whom was the archbishop of Rouen; but the negotiation fell chiefly upon one Robert Barre, who appears to have managed it with great dexterity: the pope at first refused to see Henry's ambassadors; but when they found no other means would prevail, they began to intreat after the Roman manner (as Gervase expresses it), that is, they distributed large sums amongst the pope and his cardinals, which soon gained them an audience, the result of which was, that two cardinals should be sent to Normandy, to receive what Henry had to say in his vindication, and to examine into the manner and instruments of Becket's death. While the pope was in this yielding humour, the envoys took occasion to present a petition from the archbishop of York and the bishops of London and Sarum, praying for absolution, and declaring themselves to be ignorant of the pope's prohibitory letter in regard to young Henry's coronation; and affirming, moreover, to be in every respect innocent of Becket's death. Hereupon his holiness deigned to give them the desired absolution, and restored them to their ecclesiastical functions.

The two legates, who were sent by the pope to Normandy, were the cardinals Theodin and Albert. On their arrival, a conference was opened at Avranches, at which Henry and his son assisted,

together with all the clergy of Normandy. Here all matters were made up between the king and the pope, on condition that the former should purge himself by oath of being accessory to that prelate's death, or commanding it. This he did in the church of St. Andrew, upon the holy Evangelists and the relics of the saint; and as a farther satisfaction, he swore to the following articles: "That he would never forsake pope Alexander, nor his catholic successors, so long as they acknowledged him a catholic king: that he would not obstruct the freedom of appeals to the court of Rome in all ecclesiastical causes; but if he suspected any persons, he might oblige them to give security that they would not, during their absence, attempt any thing to the prejudice of the king or kingdom: that in Christmas following he would undertake the crusade, and go to Jerusalem for three years; and in case he should be diverted from that expedition, by going into Spain against the Saracens, then he promised to give to the Knights Templars such sum as they should think sufficient to maintain two hundred soldiers for one year, for the defence of the kingdom of Jerusalem: that he would grant a free pardon to all clergy and laymen, who were in exile with archbishop Becket, and restore them to their former possessions and benefices: lastly, that he would restore the possessions of the church of Canterbury, if any had been taken from it, as fully as it enjoyed such possessions a year before the archbishop left England; and that the customs which were contrary to the churches of his lands, lately introduced, should be wholly abolished."

These articles were also sworn to by young Henry, excepting such things as concerned his own person. Several writers affirm, that by a secret article the elder Henry submitted to receive corporal punishment from the hands of priests and monks, at the tomb of the deceased prelate; which, if true, was a meanness unworthy a king, or a man: besides, there does not appear to have been the least occasion for so ignominious a concession, as he had absolutely purged himself from having an actual concern in his death.

Affairs being thus settled between the king and the pope, the legates, by their mediation, set a treaty on foot between him and Lewis, in which Henry consented to the immediate coronation of his daughter-in-law. Accordingly the young king and queen, who had come over to Normandy upon this occasion, instantly set out for England, attended by the archbishop of Rouen, and were solemnly crowned at Winchester on the twenty-seventh of August, 1172.

Thus ended the celebrated event of Henry's differences with Rome, the death of Becket, and the king's reconciliation with the pope and the French monarch, through the mediation of his holiness's legate; which, as they form in themselves a complete episode, I have kept as unmixed with other matter as possible, though they fall under different years. We shall now proceed to display other scenes, wherein Henry will shine in the full meridian of royal lustre.

The reader may remember, that in a note, to p. 249, we mentioned Henry's having formed a plan for the conquest of Ireland. He had actually obtained a grant, in 1155, for that purpose, from pope Adrian IV. under pretence of propagating the Gospel, and correcting the vices of the inhabitants.

bitants. The original pretext for this war, was, that the Irish had taken some natives of England, and sold them for slaves; but the motive that induced Adrian, who was himself an Englishman*, to favour Henry with a bull, was the hope of increasing the power and revenues of the see of Rome; for it was expressly stipulated, that the tribute of Peter-pence should be established over the whole island, as will appear by the bull itself, which we imagine the curious reader will not be displeased to have a sight of, as it will give him an idea of the unparalleled arrogance with which the popes in those days assumed the right of disposing of kingdoms and provinces, as if they had been masters of the whole world.

“ADRIAN, servant of the servants of God, to his son in Christ Jesus, HENRY, king of England, sends greeting and apostolical benediction.

“The desire your magnificence expressed to advance the glory of your name on earth, and to obtain in heaven the prize of eternal happiness, deserves great commendations. As a good catholic prince, you are very careful to enlarge the borders of the church, to spread the knowledge of the truth among the barbarous and the ignorant, and to extirpate the weeds of vice in the garden of the Lord; for which purpose you apply to us for countenance and direction. We are confident that your enterprize will be crowned with success, inasmuch as you have undertaken it from the noblest motive; for whatever is taken in hand from a principle of faith and religion, is always sure to succeed. It is certain, as you yourself acknowledge, that Ireland, as well as all other islands, that have the happiness to be enlightened by the sun of righteousness, and have submitted to the doctrines of Christianity, are unquestionably St. Peter's right, and belong to the jurisdiction of the Roman see. We therefore think, after having maturely considered the matter, that it will be proper to settle in that island colonies of the faithful, who may be well-pleasing to God.

“You have informed us, most dear son in Christ, that you intend to make an expedition into Ireland, to subject the island to just laws, and to extirpate vice, which has long prevailed in that country. You promise to pay us, out of every house, an yearly acknowledgement of one penny, and to maintain the rights of the church, without the least infringement or diminution. Upon this condition we consent and allow, that you make a descent upon that island, to enlarge the bounds of the church, to check the progress of immorality, to reform the manners of the inhabitants, and to promote the growth of virtue and the Christian religion. We exhort you to do whatever you shall judge necessary to advance the honour of God, and the salvation of the people, whom we charge to submit to your jurisdiction, and own you for their sovereign lord, provided always that the rights of the church be inviolably preserved, and Peter-pence duly paid. If, therefore, you think proper to carry your design in execution, labour above all things to improve the inhabitants in virtue. Use both your own endeavours, and the endeavours of such as

you shall judge worthy of being employed in this work, that the church of God be more and more enriched, that religion flourish in the country, and that the things tending to the honour of God and the salvation of souls, be disposed of in such a manner as may entitle you to an immortal fame upon earth, and an eternal reward in heaven.”

Before we proceed any farther, it will be necessary to give the reader some account of this people, the conquest of whom was attempted upon the slightest foundations, and effected with an ease that borders almost upon romance. This account we shall take chiefly from archbishop Usher and sir James Ware.

The Irish, like the old Britons, seem to have been of Celtic original, their language and manners greatly corresponding. Their form of government, at this time, like that of the ancient Britons, was a political confederacy, in which separate states were governed by different princes, who all had a dependence upon one. The knowledge of letters was introduced thither by Patrick, a North Briton, so late as the fifth century; and, with letters, he planted Christianity. Like those of the Scots, their high antiquities have been run up in the most fabulous absurdity by their authors, who were generally void of discernment, taste, or literature, but full of affectation, passion, and prejudice. The Scots, among the other Celtic nations, had settled here soon after the incarnation; and their two most learned antiquaries seem to have given up all pretensions to any knowledge of their history before the fifth century, at which time it was so over-run with ignorance, that they knew not the use even of common characters in writing, the alphabet itself being then first introduced among them. Ignorance begot superstition; and Ireland evacuated her saints in such plenty all over Europe, that it was called the native country of the holy. Their situation, however, and piety afforded the monks a safe retreat; and this gave them leisure to introduce a character in writing, which perhaps our Saxon ancestors copied. The invasion of the Norwegians and Danes, about the seventh century, and afterwards, broke into this asylum; and it is more than probable that the greatest part of the Irish coasts was peopled by Danes and Normans, commonly called Easterlings, who built the cities of Dublin, Limerick, Waterford, Wexford, and Corke, and reduced as much of the adjacent country as was convenient for their purposes. Having no bait for conquest, the native Irish living mostly in caves, and the few houses they had being made of hurdles covered with straw or rushes, the Easterlings seem not to have chosen to extend their conquest to the inland parts of the country. Their numbers were too inconsiderable to people it, their manners too barbarous to civilize it, and their necessities too pressing to be gratified by so unavailing a conquest. It is, however, very probable, that those Easterlings and foreigners had, about this time, mingled with the natives, and that in manners they were become almost the same. The fertility of the soil, the temperature of the air, the conveniency of its harbours, which to other nations

* His real name was Nicholas Breakspeare; born in the farm of Langley, belonging to the abbey of St. Alban, in which his father was a servant and lay-brother. Nicholas going to Arles, in Provence, was admitted in quality of servant

to the canons of St. Rufus, where he became a monk, was afterwards raised to the rank of abbot and general of the order, and in the sequel to the pontifical dignity.

bring glory and riches, were to the Irish matters of reproach. The fairest blessings of nature lay unimproved through indolence, nourished by pride. Their healthful vigour was unnerved by inactivity, and they seem to have been void equally of the virtues as the vices of the rest of mankind. Sir James Ware makes violence alone the right by which their kings reigned, and their only title to government, which must constantly have been bloody and precarious. Their ceremonies were more than savage: in short, it can scarcely be said, with any propriety, that they had among them a civil policy*.

Power, however supplying the place of government, there were, in the time of Henry II. five kings among them, or, according to others, seven, Connaught, Corke, Munster, Leinster, Ossory, Meath, and Ulster. But it is probable that two of those kingdoms were sunk into others, since Giraldus Cambrensis, our best authority, mentions only five kingdoms. The king of Connaught was, not from any superiority arising from virtue or election, but from barbarous power, the chief of the rest: his name was Roderic; the name of the king of Leinster was Dermot Mac Morrogh; and O'Rourk was king of Meath: the king of Connaught, because of his superiority, is sometimes called king of Ireland. Omachla, the wife of the king of Meath, had an intrigue with Dermot Mac Morrogh; and the husband, who it seems was no stranger to it, being obliged to go upon an expedition at some distance from his own territories, shut her up within a bog, which lay in an island inaccessible, as he thought, to his rival; but Dermot found means to elude the precaution of O'Rourk, and carried off the willing fair one. This indignity fired the king of Meath, and Roderic, king of Connaught, joining in his resentment, Dermot, who was ill-beloved by his people, after various combats, with unequal force, was obliged to take shipping, and throw himself upon the protection of the king of England.

* It may be proper here to give an abstract of what the ingenious Ware has said with regard to the Irish antiquities. That in their histories there is much falshood. That it is probable they had their origin from Britain, both by reason of the vicinity of Britain, and the easiness of the passage; as also from the conformity of the language and customs with those of the ancient Britons. That to assign the exact time when Ireland was first inhabited, cannot be expected. That, of old, the most potent of their kings (for Ireland was then a pentarchy) assumed to himself the government of the whole island, and was called king of Ireland; and, by some, king of kings; as one to whom the inferior kings allowed the supreme rule. That they obtained the monarchy, not by any solemnity of coronation or anointing, nor by any hereditary right, or propriety of succession, but only by force of arms. That most of those kings died violent deaths; and as, among the Romans, Galba killed Otho, Otho Vitellius, &c. so many of those kings of Ireland, who had stained their hands in the blood of their predecessors, were rewarded alike. That the custom of creating kings in the north of Ireland was this: the whole people of the country being assembled, a white beast was set in the midst of them, to which the candidate, making his approach like a beast upon all fours, professed himself to be a savage beast; and presently the beast being killed, cut to pieces, and boiled, he bathed himself in a chaldron of the broth, prepared for him, and, together with the people, feasted upon the flesh of the beast, and drank of the same broth wherein he had been washed, putting his lips to it, without any vessel, or the use of his hand; which done, his kingdom was confirmed to him. That in the election of Oneal, a shoe was thrown over the head of the elect. That Legarius was the son of Oneal; that he reigned anno 463. That he purposely omits the predecessors of this Legarius, because most of what is delivered of them is either fabulous or very much intermixed

This happened in the year 1167, and Henry was at that time in Normandy; but his affairs would not permit him to enter into the cause of Dermot with the vigour he otherwise would have done. The opportunity, however, was very inviting; and Henry, being willing to make the most of it, gave him a brief, declaring that he had taken him into his royal protection, and giving leave to all his subjects to assist him. Dermot immediately passed over to Britain, where he tarried for some time at Bristol, for the conveniency of hearing how his affairs went in Ireland. Here he caused his brief from the king to be read in public, and was extremely profuse in his promises to all who should assist him in the recovery of his kingdom. At first he was treated with great contempt, and met with no success; but the novelty of the thing excited the curiosity of many, particularly of Richard, earl of Striguel, surnamed Strongbow, called by some of our historians and antiquaries Richard earl of Pembroke. This nobleman had great ambition, and large possessions in Wales, where his tenants were numerous, and the situation of his estate convenient for a passage to Ireland. The bargain between him and the monarch was soon struck; and it was agreed, that in the spring 1168, the earl should assist Dermot to recover his country, upon condition that the latter should give him his daughter in marriage, and leave him heir to his dominions. Robert Fitz Stephens, a young nobleman of great activity and valour, son to the constable of the castle of Aber-teivy, in Wales, now called Cardigan, had succeeded his father in the command of that castle. His mother was Nesta, daughter to Rees, king of South Wales, whose first husband was Gerald, constable of Pembroke castle: thus this lady, who had been mistress to Henry I. was wife to two noblemen, and the mother to the Fitz Gerald. Fitz Stephens, of whom I now speak, had been, through treachery, delivered into the hands of Rees ap Griffin, who was at that time

with fables, and without chronology. That the petty kings of particular provinces are sometimes falsely called kings of Ireland (he instances in several.) That what was taken from strangers, as though done for the public good, was esteemed commendable; but that their judges, called Brehons, at certain appointed times, in the open air, and usually on a hill, seated on clods of earth, determined what controversies happened among their neighbours, according to the custom in use among them. That the inheritance of the deceased was equally divided among the sons, both lawfully and unlawfully begotten. That there were, indeed, in Ireland walled towns before the coming of the English, anno 1170, as Dublin, Limerick, Waterford, Wexford, and Corke; but that they were built by the Easterlings, or Danes, who had conquered those parts of the island; but that the native Irish had no walled towns; and their houses were neither marble nor brick, nor subterraneous caves or dens, but made of hurdles, and covered with straw or rushes. That from this poor sort of buildings among the ancient Irish, it comes to pass that we have so few signs remaining of any houses or castles, built by the kings of Ireland before the coming of the English: that, therefore, when Roderic O Connor, king of Connaught, in the year 1161 (or not very long before) built a stone castle at Tuam, it was so new and unusual in those times, that the Irish called it the Wonderful castle. That when Malachias O Morgair, archbishop of Armagh, who was cotemporary with St. Bernard, began to build a stone oratory at Benchor, like those he had seen in other countries, it was the wonder of the natives. And, in fine, that at Temoria, now Tara (the principal residence of the Irish kings, the seat of justice, the place appointed for national assemblies, and where, if we believe Dr. Kennedy, the Royal book, or touchstone of all others were preserved), there is not the least sign or remainder of an ancient building to be seen.

Abercromby's Hist.

meditating

meditating to take up arms against Henry. As Fitz Stephens had great interest and alliances in that country, Rees offered him liberty, upon condition that he would fight on his side with him, against the English government. This proposal being rejected by Fitz Stephens, she continued upon a kind of recognizance to Rees, till the arrival of Dermot at St. David's, where he intended to take shipping for Ireland. Rees ap Griffin being a relation to Dermot, the latter had interest enough to prevail with Rees to give Fitz Stephens liberty to assist him in regaining his dominions. The young man, fond of an opportunity in which he could give so fair a display of his valour, without affecting his honour or allegiance, readily embraced the proposal; and, by the mediation of the bishop of St. David's his uterine brother, Fitz Gerald, and he engaged upon their own credit to carry over a certain number of men to the assistance of Dermot, on condition that the latter should give to him and Maurice Fitz Gerald the city of Wexford in fee, with the two hundreds adjoining. Dermot, having thus settled his affairs, embarked privately at St. David's, and went over to Ireland, where he lay in concealment at Ferns, near Wexford, till next spring.

In the spring of 1168, Robert Fitz Stephens, in pursuance of his engagement with Dermot, embarked for Ireland, with his brother Fitz Gerald, attended by his nephew Meyler Fitz Henry, Milo Fitz David, and Hervey de Montmorency, or Mount-morrice, with sixty knights and three hundred archers, and landed at Bannogh-bay, not far from Waterford, where being joined by Maurice Pendergast and a small body of troops under his command, and afterwards by the forces of Dermot, they advanced to the siege of Wexford, which they soon reduced. Immediately after its reduction, the Irish monarch, agreeable to his promise, put it into the hands of Robert and Maurice, together with the adjoining territories; and bestowed two other districts, near the sea, betwixt Wexford and Waterford, upon Hervey de Mount-morrice, from whom they devolved to the family of Ormond. The party of Dermot being considerably increased since his late successes, he marched at the head of three thousand men against Donald, the petty king of Ossory, and one of his tributaries; but the latter had taken such precautions against the expected visit, that the invaders, despairing of success in that part of the country, resolved to retire. In their retreat, however, they found themselves greatly harassed by the enemy, who, flushed with the little advantage they had gained over a flying foe, followed the chase with so little prudence, that Dermot and Fitz Stephens, perceiving their disorder, determined to turn it to their own advantage, and, having gained a level part of the country, they suddenly faced about, and falling unexpectedly upon their pursuers gave them a total defeat. This check obliged the king of Ossory to sue to Dermot for peace, which was granted him on his swearing fidelity, and giving hostages.

The king of Connaught, alarmed at the progress of the English arms, called a council of the chief men in Ireland, to consult of measures for driving out the invaders. It was here unanimously resolved to fall upon Dermot, whom they considered as a traitor to his country, with their united forces, at one and the same time. Had this plan taken place,

there was the greatest probability that both Dermot and the English would have been entirely driven out of the land; for no sooner were the resolutions of this assembly known, than those who had been either dazzled or intimidated by the successes of the enemy, and had declared for Dermot, were now ready to desert him, upon the apprehension of being subjected, through his means, to foreign masters. In a word, the king of Leinster now found himself abandoned by every one but the English; and Fitz Stephens, alarmed at this change of disposition in the natives, thought it most prudent to take possession of an advantageous situation, near Ferns, where he pitched his camp, and strongly fortified it. Roderic, finding the enemy thus inaccessible, knew it would be in vain to hope for success from the most vigorous assault, and therefore had recourse to negotiation, offering Fitz Stephens a considerable reward to draw off his troops and abandon Dermot; but all in vain. At length he applied to Dermot himself, to whom he represented, in the most forcible manner, the great imprudence he was guilty of, in bringing in foreigners, who would not fail to turn the dissensions of the natives to their own advantage, so as to make themselves masters of the whole country. This prediction, whether the effect of the spirit of prophecy, or rather of prudent foresight, was fully verified in the event. For the present, this argument had such weight with the king of Leinster, added to a promise made him by Roderic, that he should have the peaceable possession of his dominions, that, once more shifting sides, he concluded a peace with Roderic, and promised to join him in driving the strangers out of the country.

Whether this tergiversation of Dermot proceeded from natural inconstancy, or from a remorse at the calamities he had brought on his country, he certainly shewed himself a faithless ally to the English, who had come over solely upon his invitation; and his disinheriting his own children in favour of foreigners, as well as his invasion of another man's bed, were acts of perfidy and unnaturality: yet even these failings might have been overlooked, had he stood firm to his engagements with Roderic; but Maurice Fitz Gerald soon after arriving from England with ten knights, thirty horsemen, and three hundred archers, Dermot was so elated with this accession of strength, that he renounced his late engagement, and, joining the English, went and laid siege to the city of Dublin, which in a few days he reduced; though, upon the delivery of hostages, he left it in the possession of Hasculf, the Danish prince, to whom it belonged. These successes, which ought to have united, served to divide the Irish. Public spirit, the only cement of patriotic union, was to them unknown; dissensions, inspired by revenge, envy, and avarice, prevailed among their chiefs, and Ireland fell to the English, though after a less glorious struggle, through the same vices and oversights which had before made Britain a prey to the Roman invaders. A war now broke out between Donald O'Brien, king of Limerick, son-in-law to Dermot, and Roderic, king of Connaught. Donald, who was the weakest, immediately called in the English to his assistance; and Fitz Stephens, marching to his relief, defeated Roderic's army in several engagements, and forced him to retire back into Connaught.

In the mean time, Dermot, having recovered possession of his own kingdom with so little difficulty, aspired to the conquest of Connaught, and by that means to make himself sole monarch of Ireland. This project he imparted to Robert and Maurice; but they not chusing to risk the certain possessions they had gained, by engaging in precarious schemes, advised him to press the earl of Striguel to make good his engagements, which he had hitherto neglected, and to come to their assistance with a powerful force.

Richard Strongbow, earl of Striguel and Pembroke, was, of all Henry's subjects, the most obnoxious to him: the latter was jealous of the great power and abilities of Richard, and had strictly prohibited him from engaging in this expedition; but the earl, in hopes of making his fortune, upon the receipt of Dermot's letters went to Normandy, to solicit the king's leave to fulfil his engagements, into which he had entered in virtue of the royal brief; and having received an ambiguous answer, which he construed into an assent, sent over Raymond le Gros, with ten cavaliers and seventy archers, intending to follow soon after with greater forces. Raymond landed in the beginning of May, 1170, at Dundevil, four miles from Waterford; the inhabitants of which place, hoping to destroy him before he could be farther reinforced, attacked him with a body of three thousand horse and foot; but were, after a sharp dispute, entirely defeated with the loss of a thousand men, by Hervey de Mount-morrice, who had come accidentally with a party of his followers, to visit Raymond.

Richard himself landed on Sunday, August 23, with two hundred knights and one hundred archers, near Waterford; and carrying the place by storm the Thursday after their arrival, took in it Reynald, prince of the Danes of that city, and Malachy O'Brien, a petty Irish prince. After this the earl solemnized his marriage with the fair Eva, and they were both publicly declared heirs of Dermot's territories, though the son of this last, who had been left by his father in the hands of Roderic, king of Connaught, as an hostage for his father's performance of the late treaty, was still living.

And now the earl, with his father-in-law, marched to Dublin, which they took, about the end of September, by storm, Hasculf, with many of the citizens, making their escape in boats to the Orkades, or Orkneys. Soon after they made an incursion into Meath, wasting the country with fire and sword: but winter now setting in, Dermot returned to Ferns, and Strongbow to Waterford, leaving Miles Cogan governor of Dublin.

The rapidity of these conquests did not a little excite the jealousy of Henry, who began to apprehend, that if Strongbow should acquire the sovereignty of Ireland, he might become as formidable to the crown of England as himself and his predecessors, since their accession to the English throne, had been to that of France. To prevent this, Henry, by a proclamation, ordered all his subjects to return out of Ireland by the Easter following, and forbade the sending any more supplies thither. The earl, startled at this resolution of the king, sent over Raymond to Normandy, where Henry then was, with letters, full of submission

and duty, professing himself ready to resign into the hands of the king all his late-made acquisitions in Ireland.

This prudent measure had the desired effect. Henry was so highly pleased with this instance of the earl's loyalty and submission, that he not only ordered his lands in England and Normandy, which had been sequestered, to be restored to him, but likewise created him seneschal or constable of Ireland: and Dermot dying at Ferns, on the fourth of May, A. D. 1171, earl Richard saw himself by that event lord of all Leinster, and the most powerful prince in the island.

In the interval, Hasculf having gotten together a numerous body of forces from the Orkneys and Hebrides*, made a descent, with a fleet of sixty ships, at the mouth of the Liffey, and attacked Dublin; but being defeated by Miles Cogan, was taken and put to death. This unsuccessful expedition was, however, only a prelude to a much greater enterprize, formed by Roderic, king of Connaught, for driving the English out of Ireland, in which, beside the great levies he made in his own territories and the neighbouring provinces, amounting to thirty thousand men, he was assisted by Godred, king of the Isle of Man and of the western islands. Thus reinforced, he invested the city of Dublin, and continued the siege for two months, in hopes of obliging the inhabitants to surrender for want of provisions. But Strongbow having found means to throw himself into the town with a small supply of forces, and finding that there were no hopes left but to force a passage through the enemy sword in hand, he sallied out very early one morning, with a body of ninety of his most trusty knights and their esquires, and fell upon the enemy so unexpectedly and with such impetuosity, that the troops of the confederates, not prepared for such a visit, were in a short time put to a general rout, followed by a terrible slaughter, Roderic himself escaping with great difficulty.

The next day Richard marched to the relief of Robert Fitz Stephens, who was besieged in Carrick, near Wexford, by the Danes of those parts, and Donald, a bastard son of king Dermot; but before the earl arrived, Fitz Stephens had surrendered, on condition of being transported to Wales. After this the affairs of the English in Ireland remained for some time in a doubtful inactivity.

Henry, whom as I have observed before, looked with a jealous eye upon the successes of Strongbow, was not so well satisfied with his offers of submission, but that he was desirous seeing how things went on with his own eye, and therefore determined to pass over into Ireland in person. Previous, however, to this step, he sent Hervey de Mount-morrice over to Waterford, with letters, charging the earl of Striguel, upon his allegiance, to repair to him, and give an account of his conduct. The earl was in no condition to disobey such a summons, and therefore instantly went over to England, and waited upon Henry at Newnham, near Gloucester, where he then kept his court, after having settled his affairs in Normandy, and committed the government of that duchy to his son and co-partner in the throne. There Henry obliged the earl to renounce all his pretensions to Dublin and its dependencies, with all the maritime places he held in Ire-

* The western islands of Scotland, the largest of which are Sky, Mull, and Arran.

land, at the same time confirming to him his other possessions there.

Henry, intending to finish the conquest of Ireland in his own person, assembled a numerous army; and, in his march through Wales, received the submission of Rees, and the son of Owen Guineith, with whom he compromised all differences, in order to prevent their sending any succours to the Irish.

Gytten Owen, the last eminent poet and antiquary among the Welsh bards, informs us, that, about this period, one of the sons of Owen Guineith, named Madoc, having been deprived of his inheritance by his brothers, equipped a few ships, and sailed with his adherents to the north of Ireland, in quest of some new habitation; and then steering westward, arrived at an unknown land, which was probably the coast of Florida, or some more northern part of America. Leaving most of his people behind him, he returned to Wales, and gave such an advantageous account of this new country, that he prevailed upon a great number of families to follow his fortune; and embarking these on board of ten ships, he again set sail for his infant colony. Smollett gives it as his opinion, that this settlement must have been destroyed in the sequel, and that in all likelihood the second embarkation perished at sea, "otherwise (says he) they could not have been so entirely cut off from all communication with their mother-country, but that some kind of correspondence would have been maintained, or at least some vestige of them have remained on the spot where they fixed their habitation." Nevertheless, there seems to be great probability in the above account; and what adds to it, is the number of British words which are to be found in the language of the Americans, and in the names of places, such as the island of Coroeso, Cape Breton; the river Gwyn-dor; and Pengwyn, the White Rock. Besides, whoever attentively peruses the late accounts that have been published of the manners of the North Americans, will find a strong resemblance between the customs of these savages and those of the ancient Britons, to whatever cause it may be assigned.

But now to return to Henry. Arriving at Pembroke, he embarked about the beginning of autumn, 1171, with his forces on board of four hundred vessels; and, after a quick and safe passage, landed next day in Ireland, about eight miles from Waterford. The first act of the Irish, after his landing, amounts to a proof of Gervase's assertion, that those people had been privately tampered with by Henry, and had actually invited him over, chusing rather to live under his government than that of the earl of Pembroke; for he was by them presented with the brave Fitz Stephens, whom, as a disobedient traitor, he sent to prison loaded with chains. Soon after, Dermot Mac Carty, king of Corke, did him homage, gave hostages, and agreed to pay an annual tribute.

After about a fortnight's stay at Waterford, he marched with his army to Lismore and Cashel, where he received the submission of Donald, king of Ossory; Malachy or Melachlan O'Phelan, king of Decies; Reynald, prince of Waterford; and Donald O'Brien, king of Thomond or Limerick.

All these toparchs he treated with great kindness, and made them some valuable presents; but, at the same time, he took care to put strong garrisons into Corke, Limerick, and Wexford. Thus securing himself against all the interest of the earl of Striguel, he returned to Waterford, where he restored Fitz Stephens to liberty, but stripped him of all his acquisitions.

Having thus taken every necessary precaution to guard against a revolt, he marched through the province of Ossory to Dublin, where he arrived on the twenty-first of December; and while he staid there, he saw all the kings of the island arrive at his court, and with emulation strive who should first swear allegiance. Roderic O'Connor, monarch of Ireland, finding himself deserted by all the other sovereigns, was at last obliged to make his submission: accordingly he met Hugh de Lacy and William Fitz Adelm, Henry's ambassadors, on the banks of the Shannon, where he took an oath of allegiance to the king of England, and engaged to pay him an annual tribute.

Thus Henry, without the effusion of a single drop of blood, became master of Ireland in less time than was sufficient to travel over it, and most of the tributary princes attended his court, which he kept at Dublin, during the Christmas holidays; his palace was indeed homely, being, according to Brompton, built only of wattles; but his manner of living was magnificent, which struck the Irish, who had no ideas of grandeur, with great esteem and respect.

The clergy, who, ever since Henry's application to the pope, in the beginning of his reign, had always laboured to subject their country to the English, met in a general council at Waterford, in the month of March, A. D. 1172; and in this assembly, which was very full†, they sealed their subjection, by severally delivering him writings, in which they acknowledged him their sovereign master, and submitted to him and his heirs for ever. These instruments were transmitted to Rome; and Alexander, who was glad of such addition of power and interest to the see of Rome, readily confirmed his title.

During the winter which Henry passed in Ireland, he employed his time in settling the government of that country. He made Hugh de Lacy, one of his most approved servants, governor of Dublin, and invested him with all the county of Meath in hereditary fee, to be held by the service of one hundred knights or horsemen: he likewise made him justiciary or lord-lieutenant of Ireland. The cities of Waterford and Wexford were rebuilt and given to Robert Fitz Bernard. At length, finding that the state of affairs in England and Normandy required his presence, he left Ireland on the seventeenth of April, in the morning, and landed that same day at Portfinan, near St. David's in Pembrokeshire; and as he was extremely desirous of ending his unlucky dispute with the court of Rome, he immediately set out for Normandy, to meet the two cardinals, Albert and Theodun, who had waited for him there till their patience was tired, when he compromised all matters relating to the dispute with Becket and the pope, and the death of the former, in the manner already related.

† At this council Christian, bishop of Lismore, presided, as the pope's legate; and Ralph, abbot of Buldewas, archdeacon of Llandaff, and some of the king's chaplains, were sent to as-

sist at it, in order to promote a design which Henry had formed, of bringing the church of Ireland to a perfect conformity with that of England. Hib. expugn. lib. i. cap. 35, &c.

Let us now attend Henry in his domestic concerns, where we shall discover the causes of all that unhappiness which clouded the latter part of his reign.

During his absence from England, a conspiracy was formed against him, which was so much the more dangerous as his queen and own sons were the authors: besides, it was countenanced by some of the principal barons of the realm, and several foreign princes. Queen Eleanor was moved to it, according to some historians, by her jealousy of Henry's amour with the fair Rosamond, daughter of Walter de Clifford, a baron of Herefordshire†: but it was more probably owing to her resentment at his leaving her no share in the administration of her paternal dominions on the continent. Henry, the king's eldest son, a young prince of a very haughty temper, was weary of bearing the regal title without the authority: Richard, naturally turbulent and restless, was tired with being under the discipline of the king, who, indeed, had made him earl of Poitou, but suffered him not to enjoy that dignity: Geoffrey had still more cause to complain than his brothers; he saw himself deprived of the government of Brittany under the specious pretence of a guardianship, for which he thought he had no longer occasion. The English nobles engaged in this confederacy from the hopes of enjoying greater credit and authority under young Henry than under his father. Lewis, king of France, saw, to his great mortification, Henry not only triumphing over his difficulties with the church, but likely to add a great accession to his power by the conquest of Ireland: unable to check him by his arms, he sought to do it by artifice, but after an unnatural and unjustifiable manner, by engaging in a project with a rebellious wife and children against their king, their husband, and their parent. With this view he sent a letter to the king of England, expressing an earnest desire to see his son-in-law, and his daughter, whom he had parted with when she was very young.

Henry, who had just made up matters with Lewis, through the mediation of the pope's legates, could find no pretext to hinder this, and the young pair set out for Paris, where they were magnificently entertained by Lewis, who now employed every artifice most likely to enflame the mind of the young king against his father: he observed to him, that he possessed only the shadow of royalty; that his power was more limited than that of a private nobleman, and his appointment not much more extensive; concluding his insinuations with a hint which he thought the most likely to rouse the ambitious spirit of the giddy Henry, namely, that he was actually entitled to the government of the kingdom ever since his coronation. These suggestions had their desired effect; the vain and disobedient prince looked upon himself as injured while any authority remained with his father,

and took the unnatural resolve, from that instant to endeavour to strip him of power and authority, to whom he stood indebted for his existence and dignity.

And now the elder Henry began to grow uneasy at his son's staying so long at the court of a prince, whose jealousy of himself he well knew, and whose insidious arts he had more than once experienced. He therefore sent an order to the young king to return to Normandy, who obeyed the mandate: but it was only to offer an insult of the grossest kind to his father; for no sooner was he arrived than (pursuant to the advice which had been given him by Lewis) he demanded to be put in possession of the duchy of Normandy, or of the kingdom of England; a request which the father rejected with indignation and anger.

In the beginning of the year 1173, the king, accompanied by his queen Eleanor, and his eldest son, set out for Montferrand, a small town in Auvergne, where he was to hold a conference with Hubert, earl of Maurienne, concerning a treaty of marriage between the daughter of that earl and prince John, his fourth son. But as this affair could not be concluded to the satisfaction of all parties at the first conference, Hubert accompanied the king to Limoges, whither he went to receive the homage of Raymond, count of St. Giles, for the earldom of Falaife. Here Hubert urged Henry to declare what he would do for the prince his son, on account of the marriage. Henry named Chinon, Landun, and Mirabel, with their dependencies, as a settlement; but the young king laid hold of this opportunity strongly to oppose his father's will, alleging that it was an unheard-of thing, for an appennage to be settled on the youngest son, whilst he refused to do the same, during his life, for the eldest, who bore the title of king without having wherewithal to support him agreeable to his character. This opposition created a great coldness between the father and the son, and, added to his late peremptory demand of Normandy, made the former from that time suspect that some evil designs were hatching. To prevent the worst, he removed from about the young king's person every one whom he thought most likely to have given him bad advice, and in their room filled his court with those whom he knew to be devoted to himself. The event sufficiently shewed how well he judged of mankind; for in a very short time young Henry, though very closely watched by his father, made his escape to the court of France, just at the proper crisis of concerted rebellion; for queen Eleanor, who was then in England with her two sons, Richard, duke of Aquitaine, and Geoffrey, earl of Brittany, having early intelligence of Henry's escape, sent over both those princes to join in the confederacy, or rather conspiracy, against her husband.

† Rosamond must have been, by this time, in the wane of her beauty, inasmuch as the youngest of the two sons she bore to Henry was now turned of twenty years of age. The names of these two sons were, William Longue Espée, who was afterwards created earl of Salisbury; and Geoffrey, who was this year elected bishop of Lincoln. Both these noblemen continued to serve their father with great fidelity and success. Geoffrey, especially, distinguished himself so remarkably for his attachment to his father, that the king bestowed upon him the following encomium, viz. "that he had proved himself to be his true and legitimate offspring, whilst his other sons had acted as if they were really bastards."

Henry is said to have concealed his fair mistress in a laby-

rinth at Woodstock, from the jealous researches of his queen, who nevertheless, according to the common report, found means to discover her retreat, and take her off by poison. This account, however, is founded upon no better authority than that of the old ballad, composed upon the subject. But if we may believe Brompton, Rosamond did not die in 1173, nor was she poisoned by queen Eleanor. This author expressly says, that after Henry had imprisoned queen Eleanor, he continued to keep Rosamond publicly for a considerable time. This famous lady was buried in a church belonging to Godstow nunnery, near Oxford. There are no vestiges of the labyrinth remaining, but her monument has been lately repaired and beautified.

Lewis of France was not the only prince who was jealous of the elder Henry's growing power; William, king of Scots, saw it, and trembled: Henry had not yet put him in full possession of Northumberland, and he had not laid aside his claim, though he had his arms; but now he thought he had a fair opportunity of employing both. Accordingly he followed young Henry over to Paris, under pretence of renewing the famous league between the Scottish and French nations, and to balance the growing power of Henry, who was considered by them as the common enemy. At the same time several other noblemen, both in England and on the continent, actuated differently by hopes and fears, joined in the scheme to put a check to Henry's ambition.

Upon the elopement of the young Henry, the king his father sent to the court of France, to demand him; but received a very insolent answer from Lewis. Upon this he gave orders for fortifying all his castles upon the frontiers; and, being conscious of the powerful confederacy formed against him, he took into his pay twenty thousand Brabanders, all veteran troops, whom, by his liberality, he attached to his person and fortunes. It is not likely that Henry's true sense of honour would have permitted him to employ men of their character*, at any other period; but amidst this general defection of his subjects, he could not have taken a more prudent measure; for by this time the spirit of disloyalty had spread into England, where the earls of Chester and Leicester† had publicly declared in favour of the young king; and several barons in Normandy having betrayed the castles committed to their charge, he was obliged to garrison the rest with part of his Brabanders, and to keep a body of the same troops always about his person, ready to march at an hour's warning, wherever the enemy should offer to invade his dominions. At the same time, that he might omit nothing requisite to provide against the impending danger, he sent ambassadors to the court of Rome to solicit the pope in his favour; and filled the vacant see of Canterbury with Richard, prior of Dover‡, a person inviolably attached to his interest; and also imprisoned his queen, Eleanor, whom he looked upon as the principal author of all this conspiracy: she was taken in man's disguise, attempting to escape out of England and join the princes her sons.

Mean while young Henry, who continued at Paris, acted as if he had been sole king of England: he received the homage of his vassals, made grants and donations of the crown-lands||, assigned pensions out of the public revenues, under a new great-seal which he had caused to be made for this purpose. A great council of the French peers,

both spiritual and temporal, was now held at Paris, at which the young king assisted as a peer of France. Here it was resolved that a general confederacy should be entered into against Henry, and Lewis was himself the first to take an oath to assist young Henry to the utmost of his power to force his father to resign to him the kingdom of England: in this he was followed by the rest of the assembly, and young Henry with his two brothers, on their parts, swore in like manner, and gave security, that they would never depart from the alliance they had contracted, nor make peace with their father, without the consent of the king and court of France.

The utter ruin of the elder Henry seemed now at hand, considering the number and power of the enemies he had to struggle with at once; and he stood in need of all his resolution to bear so many vexations, and of all his prudence to ward against the complicated treasons of those who were his opposers. Quickly after the breaking up of the French council, the confederate princes attacked him in several places: Richard repaired to Guienne, where he raised the greatest part of the country in rebellion; Geoffrey stirred up an insurrection in Brittany, and put himself at the head of it, with a design to wrest the government of that earldom from his father; Normandy was attacked by the king of France, assisted by the earls of Flanders, Boulogne, and Blois; the king of Scotland made an irruption into the northern parts of England; and a French army, headed by the earl of Leicester, landed in England, in expectation of a general revolt of the English against the king. The particulars of so dissipated a war are needless, and would be difficult to be recounted; I shall therefore only observe, that Henry, whatever weakness he might have shewn in his quarrel with the pope, appeared in a very different light on this occasion; never did his virtues shine forth with greater lustre than when he saw himself reduced to extremity: animated with fresh courage at sight of the impending danger, he managed his affairs with so much firmness, prudence, and forecast, that, in spite of all the obstacles which started up incessantly and from all quarters, he obtained in the end a glorious advantage over all his enemies. The king of France was obliged to abandon the siege of Verneuil, after it had cost him much time and many lives: an army of ten thousand Brabanders, sent by Henry into Brittany, vanquished the rebels there, and obliged them to return to their duty: the earl of Leicester was defeated in England, and taken prisoner, by Humphrey de Bohun, the king's general, who took the opportunity of a truce made with the king of Scotland, to give the earl battle§. As soon as the truce was expired, William renewed

* A kind of banditti, or free-booters, who lived upon plunder, and were always ready to engage in the service of any prince who could pay them punctually. They were called Brabanders, because the chief of their leaders were natives of the province of Brabant; but the main body of them consisted of the refuse of France, Germany, and the Low Countries. Though they served for hire, yet, when they were well paid, no natural subjects could behave with greater fidelity; and though accustomed to plunder, yet, in time of action, they were most rigid observers of military discipline.

† The rest of the conspirators in England were, Robert, earl of Ferrers; Hugh Bigod, earl of Norfolk; Roger de Mowbray, Thomas de Muschamp, Robert de Lund, Richard de Merville, Gervase Poynell, &c. In Normandy, several surrendered their castles to young Henry, Guy and Geoffrey de Lusignan: and the same in Anjou and Guienne. Ralph de

Fougeres raised an insurrection in Brittany; as did also Eudo, count of Perhouet, or Penthievre.

‡ It was first offered to Roger, abbot of Bec, in Normandy, but on his refusal given to this Richard.

|| To William, king of Scotland, he granted all Northumberland as far as the Tyne: to his brother, the earldom of Huntingdon and Cambridgeshire: to Hugh Bigod, the castle of Norwich: to Philip, earl of Flanders, a thousand pounds a year in England, and all Kent, with the castles of Dover and Rochester: to Matthew, earl of Boulogne, the manor of Kirke-ton, in Lincolnshire; with the earldom of Mortaigne, and honour of Haie: to Theobald, earl of Blois, two hundred pounds in Anjou, and the castle of Amboise. Hoved.

§ This battle was fought towards the end of September, 1173, at Farnam, near St. Edmundsbury, in Suffolk: above ten thousand Flemings were slain. Brompt. Hoved.

his ravages in Northumberland; but whilst he was intent upon the plunder, he unfortunately, or rather imprudently, suffered himself to be surprised by the English general, who routed his army, and took him prisoner ¶. The Scots pretend this was during the truce, but the English affirm that it was after the expiration: however this might be, the brutality of the English to their royal captive is inexcusable; they put him upon a horse with his feet tied under the creature's belly, and thus ignominiously conveyed him to Richmond castle, there to be kept till Henry's pleasure should be known*.

Whilst the arms of Henry were thus crowned with success in England, he was employed on the continent in reducing the revolted cities and provinces. Though he could not be in every place at once, yet he ordered it so, that in a few months, either by himself or his generals, he became master of the principal places in Guienne, Xaintonge, Anjou, Poictou, and Brittany. These successes quite broke the measures of the confederates, and dissipated those apprehensions he had justly conceived in the beginning of the war.

In the mean time, Philip, earl of Flanders, who had sworn on the Gospels that he would, within a fortnight after Midsummer, subdue all England for Henry the son, joined this prince with three hundred and eight choice men, who was himself at the head of an army of French and Flemings, ready for making a descent upon England. Accordingly they marched in concert to Gravelines, in order to embark; but contrary winds prevented them from putting to sea. It is hard to say what the event might have been, had not this obstacle happened. However, the elder Henry, who was now in Poictou, upon hearing of the intended invasion, settled his affairs with amazing expedition, and embarking at Barfleur, landed, together with his queen and the earls of Leicester and Chester, all three prisoners, on the eighth day of July, 1174.

The greatest princes must sometimes submit, in certain exigencies, to comply with the humours, and conform to the notions of their subjects, however mortifying it may be to the ideas of their own consequence, or disgusting to their good understanding. This was, at this time, Henry's case: Thomas Becket had been lately canonized, and was now in all the odour of sanctity. The ridiculous stories of his pretended miracles had gotten possession of the people of England, and he was become the great object of their devotions, and their favourite patron and intercessor with Heaven. The king had lain under severe suspicions of being accessory to his death; nor were the commonalty thoroughly satisfied with the purgation he had made by oath: this was the only point in which his conduct seemed the least reprehensible, nor could his subjects prefer any other cause of complaint or reproach. In order, therefore, to remove any ill effects of those suspicions, and also to ingratiate

himself with the people by striking in with the reigning mode of their devotion, he was no sooner landed, than, deferring all other business, he set out immediately to pay his homage to the shrine of that reputed saint at Canterbury. No sooner did he come within sight of the cathedral, which was three miles distant, than he alighted from his horse, and walked bare-footed to the tomb of the saint, his blood, drawn by the sharp stones, marking every step: there he ingloriously prostrated himself, while he received on his bare back three, some say five, lashes from each bishop, abbot, and monk there present; after this, he lay all night on the pavement without any thing under him, and spent all the next day in fasting, as he had done the day before: afterwards he made a solemn procession round all the altars of the place; and then, retiring to the shrine of the sainted rebel, he offered a gift of forty pounds per annum for finding perpetual lights at his tomb. To such meannesses was this great king reduced, by the unnatural behaviour of his own family, and the perfidy of a neighbour and ally!

On the morrow he returned to London, where he received the agreeable news of the taking of the king of Scots: great care was taken on this occasion to magnify the new saint's credit in the celestial court, by remarking that Henry was indebted for the success of his arms to St. Thomas's intercession †. It was farther affirmed, that the king himself was so persuaded of it, that he had the strongest opinion of his sanctity ‡.

Henry, a few days after his arrival in London, marched against Hugh Bigod, one of the most powerful of the English malecontents, and invested his castle of Framlingham. Bigod knew too well whom he had to deal with, to attempt holding out to extremities: he entered upon a capitulation, and, upon his delivering up the castles of Framlingham and Bungay ||, he obtained pardon for himself, and leave for a body of Flemings under him to depart to their own country. Henry then went to Northampton, where he was presented with the king of Scots, who was brought before him in an ignominious manner; and Hugh, bishop of Durham, who had, during the troubles, affected an entire independency, now delivered into the king's hands the castle of Norham and Alverton; as the earl of Leicester's officers did those of Leicester, Mount-Sorrel, and Groby: at this time likewise Mowbray was constrained to deliver up the castle of Thirsk, and the earl of Ferrers, those of Stotville and Duffelde.

Thus, in less than a month, all England, from the most imminent danger of being lost to the elder Henry, was reduced to tranquility under his government. This threw such a damp upon his enemies spirits, that the king of France was glad to dispense with the earl of Flanders' Quixotic oath, on condition that the latter would join him in carrying on the war with vigour in Normandy.

¶ At Alawick, in Northumberland, July 13, 1174. Brompt.
* He was afterwards conveyed to Normandy, and imprisoned at Falaise, with the earl of Leicester.

† It happened that very day the king left Canterbury, being the thirteenth of July, the king of Scotland was taken prisoner, which the monks imputed to Becket's merit: and the same day also his son Henry's ships, wherewith he intended to pass into England, were dispersed by a storm. R. Diceto.

‡ It appears, from a story told us by Geraldus Cambrensis, that Henry submitted to this ignominious penance, not from any superstitious notions of his own, but merely in order to

gratify the people. John, bishop of Norwich, having a suit with William, earl of Arundel, had laid him under excommunication. The earl came to prefer his complaints to the king, who was then attended by his prelates and nobility; and Henry, in the hearing of them all, turned to his prelates, and said, "I would advise you, bishops, to be more cautious how you meddle with my barons, and not to excommunicate them so rashly; for though one of you may have succeeded in so doing, you will not all, if you should chance to be killed for such insolent attempts, arrive at the honour of martyrdom."

|| Both in Norfolk.

Accordingly

Accordingly the troops, which were lying at Gravelines, returned back and joined Lewis, who went and laid siege to Rouen, of which he hoped to make himself master before Henry could come to it relief; but the brave resistance of the inhabitants baffled his designs. Upon the first notice of the siege, Henry put to sea with a strong body of forces, and was so expeditious that he arrived in Normandy before Lewis had made any progress. His sudden coming struck such a terror into his enemy, that he raised the siege, and fled with the utmost precipitation, leaving all his baggage behind him.

Soon after this, the archbishop of Sens and the earl of Blois offered their mediation to bring about a peace between Henry, his sons, and the French king. A conference was accordingly agreed upon, at Gisors, on the eighth of September, 1174*. Both kings were heartily weary of the war: Lewis, now above sixty years of age, despaired of accomplishing what he had projected in the beginning of his quarrel; he found the confederacy, by which he thought to have pulled down Henry, had rather fixed him more firmly on his throne; and feared, with reason, that in case he should die during the course of the war, he should leave his son, Philip Augustus, then only ten years of age, too much embarrassed to hope for success. On the other hand, the king of England was equally inclined to peace: he earnestly wished to deprive his sons of their only refuge, the protection of France. Richard, his second son, a prince of a fiery and restless temper, was the only person that opposed the desired pacification; but neither his two brothers nor the king of France thought proper to protract the war to oblige him: they consented therefore to a truce, during which they left Henry the father at full liberty to reduce his obstinate son to reason, promising faithfully to give the latter no assistance, who at last, seeing himself destitute of support, threw himself at his father's feet, on the twenty-third of September.

If Henry had a weakness, it was that of being too indulgent to his children: he received his unnatural son with a paternal affection, as if he had never offended him; and a meeting of all parties was appointed on Michaelmas-day following, between Tours and Amboise. As the parties stood affected, it was not difficult to settle the articles of agreement, which were thirteen in number, and in substance as follow:

By the Ist, the sons of Henry renounced all the engagements they had entered into against him.

By the IId, they absolved all their tenants and barons from the oaths they had entered into against the elder Henry, and returned to their allegiance.

By the IIId, all the elder Henry's tenants and barons were to re-enter upon those estates they held fifteen days before the rupture. The same provision was made for the barons, and others, who had followed the princes against their father.

The IVth provides an absolute pardon, without reserve of ill-will and malice, on the parts of the kings, elder and younger, to all parties who had taken up arms, upon their future good behaviour.

By the Vth, the elder Henry gives to the king his son two convenient castles in Normandy, and

fifteen thousand Anjovine pounds: to Richard he gives two convenient castles in Poictou, to be held so as no damage may thereby accrue to his father, with half the revenues of Poictou: to his son Geoffrey (who, it seems, had not yet consummated his marriage with the daughter of the earl of Brittany) he gave half the revenues of that earldom; and upon such consummation, promises to give him the whole.

By the VIth, a provision was settled for the prisoners; but the king of Scots, the earls of Leicester and Chester, with Ralph de Fougères, were expressly excluded from all benefit by it: and it was provided that Henry the elder should exact pledges from as many of them as he thought proper, and as were able to give them; while the others were to swear fealty to him anew.

By the VIIth, all castles, fortified in the time of the war, were to be reduced to the same state they were in fifteen days before the rupture: but this was left to the elder Henry's pleasure.

By the VIIIth, the younger Henry promises to execute faithfully all his father's charitable and other donations.

By the IXth, he promises faithfully to observe his father's will, in the provision for his son John, viz. one thousand pounds yearly out of his estates in England; with the castle and earldom of Nottingham, and their dependencies; and the castle of Marlborough, with its dependencies; and out of Normandy, two castles, such as his father should appoint, with one thousand pounds of Anjovine money; out of Anjou, one thousand pounds of Anjovine money out of the estates belonging to the late earl of Anjou, with one castle; and one castle in Maine, with another in Touraine.

By the Xth, all forfeitures were pardoned, incurred in consequence of any subjects leaving the king; and they are not accountable for any effects they might have carried off: but in all capital cases, and breaches of the peace, they were to put in sureties for standing their trials according to the laws of the land. Likewise all forfeitures incurred before the war broke out, were recoverable; and all pleas and suits commenced before the rupture, were to remain in statu quo.

The like provision was made, by the XIth, with regard to those who were in courts of justice before the war, and had gone off to join the young king.

By the XIIth, king Henry the younger promises an exact observance of the above articles, as did his brothers, promising, at the same time, never to offer, by violence, to extort from him any conditions other than what were then and there expressed; and never again to withdraw their allegiance from their father and lord the king.

By the last article, the two princes, Richard and Geoffrey, became the king their father's liegemen.

Thus Henry, by his admirable prudence, unshaken fortitude, invincible courage, and amazing activity, triumphed at last over all his enemies, after having defeated a conspiracy perhaps the most dangerous that ever was formed against any prince in Christendom; and no part of his conduct did him so much honour as the magnanimity and moderation he manifested towards those who had la-

* There had a conference been held before at the same place, between Henry, his three sons, and the king of France, on the twenty-fifth of September, 1173; but it had been

broken off by the artifice of Lewis, who had persuaded the younger Henry and his brothers to reject some very just and advantageous proposals made them by their father.

boured his destruction. The princes of Galloway having shaken off the Scottish yoke, and asserted their independency, Henry had, from the dictates of sound policy, supported them in their revolt; but no sooner was he informed that Gilbert, one of the chieftains of that country, had most inhumanly put his own brother Uchtred to death, than he broke off all connection with such barbarous people, and compromised his difference with William, king of Scotland, who was still a prisoner at Falaise, and whither a great number of Scotch prelates, earls, and barons assembled, for settling the terms of their sovereign's release; and a convention was signed, by which all ambiguity in former conventions between the ancestors of either party was wholly removed; and William did homage to the king of England for Scotland and all his other territories, as he did likewise to young Henry, saving the allegiance due to the king his father: he also undertook for all his nobility and clergy, that they should swear fealty to the king of England; and that the church of Scotland should be subject to that of England. English felons, taking refuge in Scotland, were not to be harboured there. The vassals of each king were to enjoy the lands which they held in either kingdom. And the castles of Berwick, Roxburgh, Jedburgh, Edinburgh, and Stirling were to be put into Henry's hands, as a security for the performance of the articles. David, earl of Huntingdon, brother to the Scottish king, did also homage to Henry, and was delivered as an hostage, with four earls and sixteen barons, until the castles should be surrendered: and the Scottish prelates and nobility engaged to stand by Henry, as well against the king of Scotland if he broke the convention, as against all his other enemies. The castles being shortly after delivered, and Henry being now perfectly secure on that quarter, suffered William to return to his kingdom.

Having conducted Henry to this happy conclusion of his troubles, we will now return to Ireland. Notwithstanding the facility with which Henry had made the conquest of that country, the natives were far from being easy under their new masters. Probably these latter might have been guilty of some excesses and acts of oppression towards a people whom they looked upon as vanquished vassals. Whatever might have been the cause, the Irish, soon after the death of O' Rourk, entered into a general confederacy to expel the English from amongst them; a resolution warranted by all the laws of policy and liberty. These preparations, however, soon came to the knowledge of the English government; and about Michaelmas, 1173, Henry, having triumphed over his enemies, sent Strongbow back to Ireland, with the title of guardian of the realm, and a grant of the town of Wexford and the castle of Wicklow, to reward his services. But Richard did not chuse to accept of the government until Raymond le Gros was joined with him in commission; and as soon as he received Dublin from Hugh de Lacy, the late guardian, he entrusted the command of the army to his colleague, who was no less beloved by the soldiers for his humanity, than admired for his courage and intrepidity.

Raymond was no sooner put in possession of his post than he resolved to distinguish himself by some memorable action. He first invaded Ophaly, which he plundered; and having refitted his men with

arms and horses, he fell upon and took Lismore. But the Irish all this time were not idle: the people of Corke had fitted out a strong naval armament; and having notice that Raymond was sending the booty he had got at Lismore, round to Waterford by sea, they resolved to intercept his ships, and accordingly put to sea, under the command of one Gilbert Fitz Cutzer; but Adam de Hereford, who commanded Raymond's fleet, gave them such a warm reception, that the Irish admiral was killed, and most of his ships destroyed.

Soon after this Raymond was called over to Wales by his own private affairs; and the earl of Pembroke not chusing to take the whole command upon himself, associated with him Hervey de Mount-morrice, whom he knew to be unexceptionable to Henry. By this general's advice the earl marched to Cashel, where he ordered all the forces that were about Dublin to meet him; and he was also joined by a body of Easterlings, as they were called, being partly Danes and partly Norwegians, who had made an accommodation with the English, and were by them permitted to live undisturbed in and about Dublin, upon condition of performing military service when called upon.

The junction of these people with the English did not a little alarm the Irish malecontents, who dreaded the total subversion of their scheme by such an addition to Strongbow's force. It was therefore determined to prevent it, if possible; and Donald O' Brien, the active king of Limerick, took his measures so well, that he came upon them early one morning, in their quarters at Ossory, where they had halted on their march to join Richard; and after a smart engagement, in which Donald lost four hundred of his own men, he killed their four commanders, and put them to a total rout: Strongbow upon this retired in haste to Waterford.

This success was a signal to the Irish to fly to arms in all quarters; and Roderic O' Connor, the king of Connaught, passing the Shannon, destroyed all the English possessions in Meath, and advanced even to the gates of Dublin. Richard, alarmed at these disasters, sent messengers to Raymond, promising him his sister Basilea in marriage, if he would return with all the forces he could raise.

Raymond, who was in possession of a plentiful fortune, through the death of his father, had resolved to retire from service; but as he had long entertained a passion for the lovely sister of Strongbow, love got the better of his inclination for ease and retirement, and embarking with his cousin, Meyler Fitz Henry, thirty knights, one hundred horse, and three hundred Welsh archers, he arrived at Waterford, from whence he was accompanied by the earl to Wexford, where his marriage with the fair Basilea was consummated; and, that he might give the Irish as little respite as possible, he marched directly into Meath, drove Roderic out of that country; and, about the beginning of October, 1174, he made himself master of Limerick by storm, where he found a large booty; and having left a strong garrison in the place, under one Miles, he returned to Leinster, where he put his troops into winter-quarters.

It was one of Henry's great weaknesses, to be immoderately fond of power, and to look with a jealous eye upon merit, even when exerted in his service: under him danger attended success, and

envy

envy glory. He had given an instance of this in his behaviour to Strongbow at his first engaging in the Irish expedition: and now Hervey de Mountmorrice, who was jealous of the fame of Raymond, and of the high esteem in which he stood with the soldiery, persuaded Henry that he and Strongbow had intentions to undermine his title to Ireland, and to set up an independent authority of their own in that island. The king, whose mind was too susceptible to impressions of this nature, immediately sent four commissioners over thither, two of whom had orders to conduct Raymond to England, and the other two to observe the motions of Strongbow. We shall now leave them on their way to Ireland, and take a view of what Henry was doing in Normandy.

He kept his Christmas, in 1174, at Argentun, in that duchy; and in February of the ensuing year he had an interview with the French king at Gisors, where all disputes between the two crowns were amicably adjusted. The castles erected during the late war were demolished, and the strongholds in Anjou and Poitou were provided with sufficient garrisons, and furnished with plenty of ammunition. After Midlent, the king returned to Caen, and sent to his son, who was then at Rouen, to come to court, in order to go over with him to England; but the young king refused. This he did through the suggestion of the king of France, who endeavoured to persuade him, that if once his father had got him into England, he would confine him in prison; but at length his father's affectionate messages melted his stubborn heart into compliance, and young Henry came and did his father homage; after which, with the old king's consent, he had a conference with Lewis. The father and son then kept their Easter at Cherbourg; and after that had an interview, at Caen, with Philip, earl of Flanders, who, on resigning the charter he had got from the young king, was, by the elder Henry, confirmed in the pension of a thousand marks. These affairs settled, both kings embarked at Barfleur, and landed in England the ninth of May, A. D. 1175.

The August following he summoned William, king of Scotland, and his nobility, to meet him and his son at York, in order to ratify the convention of Falaise. They accordingly appeared, put themselves under the protection of England, and renewed their oath of fealty and submission to the elder Henry; who now withdrawing his protection from the prince of Galloway, gave William leave to march against and subdue him. From Scotland we will now remove to Ireland.

As soon as Henry's commissioners* arrived at Wallingford, and had communicated their orders, Raymond made preparations to set out for England, and was ready to embark when advice came that Donald, prince of Thomond, with an infinite multitude of people, had invested Limerick, and the garrison, having consumed most of their provisions during the winter, stood in need of immediate relief. The earl of Pembroke was eager to march without loss of time, but the army refused to stir without their beloved chief, Raymond;

who was willing, if the commissioners would allow him, to undertake the service. They readily giving their assent, in consideration of the exigence of circumstances, he set out at the head of eighty knights, two hundred other horsemen, and three hundred archers, and was joined on his march by Murchard and Donald, the petty kings of Kilkenny and Ossory, with a body of Irish. The prince of Thomond, upon receiving intelligence that Raymond was on his way to give him battle, raised the siege, and advanced to meet him in a very difficult pass, near Cashel, which he rendered still more so by throwing up ditches, and lining the banks with trees cut down and laid across the roads, to interrupt the troops in their march.

Notwithstanding these precautions, Raymond found means to force this pass, and falling upon the enemy with great fury, put them to flight, and entered Limerick in triumph. This threw the prince of Thomond into the greatest consternation, and finding it in vain to resist the military skill and prowess of Raymond, he offered to renew his submission to the English government, swore allegiance to king Henry, and gave hostages for his fidelity.

After this, Raymond marched to the assistance of Dermot M^c Carty, prince of Desmond, who was in danger of being deposed by his own son Cormack O' Lachlan. The English general advancing towards Corke, expelled Cormack, re-established the father in his dominions, and returned to Limerick laden with riches and glory.

Richard Strongbow, earl of Pembroke, had been dangerously ill for some time, and dying at Dublin on the first of June, 1176, without male issue, his daughter Isabel became heiress of all his possessions in Leinster. His sister Basilea took especial care to conceal her brother's death till she had sent advice of it to her husband Raymond, who immediately consulted with his friends what measures were best to be taken on the occasion; when it was agreed by them all, to be absolutely necessary for him to repair immediately to Dublin, to take care of the government now devolved to him by Richard's death, and to use all possible expedition, before that event should be known to the Irish; but the great difficulty was, how to leave a sufficient garrison, and find a proper governor for Limerick, a conquest Raymond could not bear the thoughts of giving up: in this exigence of circumstances, therefore, he found himself under the necessity of feigning a confidence in Donald, prince of Thomond, and to intrust him, as a baron and vassal of the crown of England, with the custody of the place; but not till he had first taken from him new hostages and fresh oaths to restore the town to the king upon demand. But no sooner had the English passed the bridge in their march to Dublin, than the perfidious Donald set fire to the city in four different places, and ordered part of the bridge to be broken down, to prevent the English from immediately returning to punish him.

Henry no sooner received the news of Strongbow's death†, which was by no means displeasing to him, than he sent over William Fitz Adelm and John

* The names of these commissioners were, Robert Poer, Osbert de Hereford, William de Bendinge, and Adam de Germeine.

† Geraldus Cambrensis has left us the following cha-

acter of this great nobleman: "Richard Strongbow, earl of Striguel and Pembroke, was (says he) generous and gentle, and had great command of persuasive language: in peace he was rather submissive than assuming, and had more of the soldier

John de Courcy to receive the government from Raymond, and they were accompanied by Robert Fitz Stephens and Miles Cogan. Raymond, to give the best testimony of his loyalty, and the deference he thought due to his sovereign's will, resigned into Fitz Adelm's hands all the forts, cities, and hostages belonging to the English in Ireland.

During these transactions, Henry's attention was chiefly employed in regulating the civil policy of England. With this view he called a general council of the prelates and barons, on the twenty-fifth of January, 1176, at Northampton, to consider the laws and statutes of the realm. Here the several constitutions made at Clarendon, with regard to laymen and criminal matters, were enforced and amended; and others revived, that had been neglected. Henry had experienced, in a very sensible manner, how dangerous it is to deal with a discontented nation; moreover, his three sons, who had availed themselves of the public discontent, were still young and active, and, in appearance, not much altered in their dispositions by his late peace with them; he thought therefore, in order to prevent them from engaging in a fresh rebellion, it was his interest to gain the affections of the English, by reviving the laws of Edward the Confessor. As these laws were very advantageous for the subject, in comparison of those of the Norman kings, which tended solely to the augmenting the revenues of the prince and stretching the royal prerogative, both nobles and people had long wished for their revival; they had even used some endeavours, in the foregoing reigns, to get them restored, but with little success: nothing therefore could be more grateful to the English than to see them in force.

In order to put the wholesome laws in execution, which he had thus enacted or revived, he caused the kingdom to be divided into six parts each of which had three itinerant justices assigned to it, all of which were knights or barons. To preserve so memorable an institution, and to satisfy our readers, we shall give the division, and names of the first justices.

Justices.	I.	Shires.
Hugh de Cressi, Walter Fitz Robert, Robert Mantel,		Norfolk, Suffolk, Cambridgeshire, Huntingdonshire, Bedfordshire, Buckinghamshire, Essex, Hertfordshire.
	II.	
Hugh de Gundeville, William Fitz Ralph, William Basset,		Lincolnshire, Nottinghamshire, Derbyshire, Staffordshire, Warwickshire, Northamptonshire, Leicestershire.

soldier about him than of the general; he never did any thing without the advice of his friends, ever forbearing, even in the field, all singularity in obstinacy or presumption; but, after he was engaged, determined and resolute: in either fortune of war, unchangeable; neither suffering himself to be overwhelmed by adversity, or too much elevated by prosperity. The following remarkable story, throws a yet stronger light on his character as a soldier: his son, a youth of no

Justices.

III.

Shires.

Robert Fitz Bernard,
Richard Giffard,
Roger Fitz Reinfray,

Kent,
Surrey,
Hampshire,
Suffex,
Berkshire,
Oxfordshire.

IV.

William Fitz Stephens,
Bertram de Verdun,
Thurstan Fitz Simon,

Herefordshire,
Glocestershire,
Worcestershire,
Shropshire.

V.

Ralph Fitz Stephens,
William Ruffus,
Gilbert Pipard,

Wiltshire,
Dorsetshire,
Somersetshire,
Devonshire,
Cornwall.

VI.

Robert de Vaus,
Ranulph de Glanville,
Robert Pikenot,

Yorkshire,
Richmondshire,
Lancashire,
Copland (a division in the North),
Westmoreland,
Northumberland,
Cumberland.

The reader may perceive that this division of the kingdom into counties, does not greatly differ from what still subsists. As to Copland, which is named as a distinct county, it probably formed the northern part of Lancashire, joined to the southern parts of Westmoreland and Cumberland. The other variations are easily seen.

As to the disputes about church-matters, which came before this assembly, or parliament, as also the statutes here enacted, they will fall more properly under that division of our history where we treat of the state of religion, laws, &c. during this period.

In this great council at Northampton, king Henry restored Robert, earl of Leicester, to all his estates in England and in his French dominions, except the castles of Mount-forrel and Pasche: the like he did also to Hugh, earl of Chester, and to William de Albiney he gave the earldom of Suffex. At the same council likewise, Rees ap Griffin, king of South Wales, David ap Owen, king of North Wales, Cadwallan, prince of Dehnain, Owen de Cavellian, Griffin de Bromfield, Madoc ap Gewelrog, and other noblemen of Wales, came and did homage, and swore fealty to Henry, who then gave Rees ap Griffin Merionethshire, and David ap Owen Ellesmere. At the same time that he was conferring these grants, he made a strict inquisition into the state of the castles throughout his kingdom, having perceived that great abuses had been introduced, through the neglect of that plan of government which he had laid down in the beginning of his reign. He therefore called a council,

more than seventeen years of age, upon a certain occasion fled from an army of the Irish, as they were advancing to battle; but hearing that they had been beaten by his father, he returned, and mingled with others in congratulating the success of the day. Strongbow, however, thinking that the reproach of cowardice was indelible, pronounced sentence, that the youth should suffer death, by being cut asunder in the middle with a sword; which was instantly executed.

or parliament, at Windsor, about Michaelmas of this year, 1176, in which commissioners were appointed to make an iter, or circuit, through the kingdom, carefully to examine into the state of all castles in the realm, and to seize for the king's use all those which had been built upon lands appertaining to the crown, or were held by persons not properly qualified, and especially all forts that had been erected since the beginning of the late troubles, either for him or against him, by whomsoever held: and with so much firmness did he proceed in this affair, that might have cost infinite difficulties and uneasiness to any prince but Henry, that he even took from his favourite, Richard de Lacy, his castle.

And now young Henry, shewing some signs of discontent at not being admitted to so large a share in the government as he thought himself entitled to, the father, to find him employment, gave permission to the young king and his brother Richard for raising troops in his French dominions, and reducing the Poitevins, some of whom had joined with his disbanded mercenaries the Brabanders, and had invaded his foreign dominions. The two young princes executed this commission with great honour to themselves, and in a short time reduced the rebels to reason.

Whilst the king was employed in these public affairs, the princess Joanna, his daughter, was demanded in marriage by William the Good, king of Sicily. Notwithstanding that this match was in every respect highly advantageous for the young princess, yet Henry would not take a step of so great consequence without the advice of his parliament, which, indeed, he appears to have consulted on every interesting occasion. He therefore summoned a council at London, who approving of the proposal, he dispatched ambassadors to Sicily, to settle the marriage-articles; after which he sent away the young queen with a splendid retinue.

The year 1177 opened with the siege of Auxerre, in France, by prince Richard. The place, though resolutely defended by its viscount, was so warmly pressed that it was obliged to surrender in less than a fortnight. In about the same time the same prince made himself master of Bayonne; and, flushed with his great success, he carried his arms even to the frontiers of Spain, where he took some towns, and obliged the inhabitants of the adjacent country to promise upon oath that they would not molest the territories of the king his father. While Richard was thus numbering his days by conquests, his brother, the young king Henry, reduced the castle of Dole, which had been wrested from the king of England. It does not appear that Geoffrey had any share in these military exploits; he and his brother John, who was too young to take the field, remaining at home with their father.

While Henry's two sons were thus enlarging his power on the continent, he himself was engaged in an affair of a very extraordinary nature, of which he was made sole arbiter. There had been a dispute some years between Alphonso, king of Castile, and his uncle Sanchez, king of Navarre, about some territories usurped by the latter upon Alphonso, during his minority, in revenge of a like usurpation made by one of the ancestors of the former. At length they agreed to refer all their differences to the king of England, obliging themselves to abide by his award. Several bishops and

great men were sent over by both parties to receive Henry's decision, with advocates to plead their cause, and two champions, famous for valour, and nobly equipped, in case he should adjudge the controversy to be decided by single combat. Upon the arrival of this respectable embassy, the king summoned all his prelates, earls, and barons of England to meet at London in Easter week, 1177, to assist him in the requested decision; when the facts being stated on both sides, without any contradiction to one another, he adjudged to each of the kings the respective territories that had been usurped upon them (which they received with great satisfaction) and dismissed their ambassadors with magnificent presents. Henry's decree on this occasion did great honour to his justice and discernment; and, indeed, so high did he stand in the esteem of all Europe for his great wisdom and integrity, that his relation to the king of Castile (who had married one of his daughters, named Eleanor) was no objection to Sanchez accepting him as the final judge of their differences.

During the sitting of this council, a brother of Robert, earl of Ferrers, happened to be killed in a nocturnal ramble at London, which seems at this time to have been very ill governed. It had, for a considerable time, been the custom for a number of the sons or relations of the most eminent citizens to rove through the streets in the night, committing a thousand riots, and disturbing the quiet and even endangering the lives of the more peaceable part of the inhabitants. Henry had before endeavoured to put a stop to these excesses, by hanging up some of the most notorious of the rioters; but this last accident determined him to strike at the root of such disorders; and so strictly did he apply himself to this laudable undertaking, and with such wholesome rigour, that the city in a great measure recovered its quiet.

After Easter, the king made a progress into the North, during which he took proper precautions for the peace of that part of the kingdom, by making such alterations and removals, both in England and the cautionary forts of Scotland, as to him appeared most suitable to secure his interest there.

While he was at Oxford, he nominated his son John king of Ireland: this young prince, who was now arrived at the age of eleven years, was his father's darling. At the same time Henry rewarded Robert Fitz Stephens and Miles Cogan suitably to their great merits in the first expedition into Ireland, by bestowing upon them all the kingdom of Corke, excepting the city of that name and its adjoining hundred. The earl of Chester had also all his estate restored to him, on condition of his going over and assisting in the entire reduction of that kingdom.

And now the mutual jealousy and disgust that had for so many years subsisted between the kings of England and France, and which the repeated treaties made between them had only checked, but never eradicated, drew towards a rupture on the following occasion. A marriage had been for some time negociated and agreed upon between Henry's second son, Richard, and Alice, daughter to the king of France. The young lady had been some time in England, and Henry, who was of an amorous complexion, is said to have looked upon her with desires that, considering the situation of circumstances,

stances, were little less than incestuous. But whether it was from this cause, or that having smarted so lately by having matched his eldest son in the family of Lewis, he was therefore little inclinable to make any farther alliances of that kind, he had, under several frivolous pretences, delayed to fulfil the marriage-contract between the betrothed pair. The chief pretext he made use of, was that Lewis had not fulfilled his part of the agreement, by delivering up the French Vexin to young Henry, and the city of Bourges to Richard: he also sent ambassadors to the court of Lewis, demanding that his daughter-in-law Margaret, who had gone thither without his consent, might be sent back. Little regard being shewn to this requisition on the part of Lewis, Henry repaired to Stoke, in Hampshire, near Portsmouth, where his fleet lay ready for the embarkation of his forces; and going on board, he landed about the end of July at Shapure, in Normandy. Soon after, a negociation was set on foot between him and the king of France, through the mediation of cardinal Vivian, the pope's legate, who, on this occasion threatened to denounce ecclesiastical censure against Henry and his kingdom, unless he immediately solemnized the nuptials of his son Richard with the princess Alice; but Henry continuing to insist that Lewis should give up the city of Bourges and its appurtenances, and also deliver up the French Vexin to the younger Henry, husband to Margaret Alice's sister, Lewis, not chusing to part with such valuable possessions, dropped all farther insisting on the match, and a treaty was finally concluded between the two kings on the following conditions: I. That both kings should take upon them the cross. II. Mutually to assist each other. III. To abolish all disputes with each other, excepting in some trifling matters, which were referred to arbiters on both sides. IV. That in case of the decease of either party, the survivor should have the whole command of the expedition. V. That in case both should die, proper persons should be named to command upon their demise. VI. That the governors, who were to act during their absence, on both sides, should be instructed to defend each other against all enemies. VII. That tradesmen, merchants, and others, with their effects, should be free from all molestation in the dominions of either party.

Henry, at his return from this conference, sent his eldest son into Berry, and Richard into Guienne, to suppress some commotions in those parts; and hearing that the former had made but a slow progress in that work, he levied an army in Normandy, and marched himself at the head of it into that province, where he soon reduced Chateauroux. From thence he advanced to la Chastre, with an intent to lay siege to it; but the lord of the place, who had carried off the daughter of Ralph de Deols, and detained her in his custody, prevented it by waiting upon Henry at Chinon, and delivering up the young heiress with the lands of inheritance, said to be worth as much as the revenue of Normandy. After this, the king marched into the Limousin, where he punished the barons of that country, for the late insurrection. And coming, after Martinmas, to meet the king of France at Greissac, in Auvergne, he had the satisfaction, in an assembly of the counts and barons of the province, convened in their presence, to hear them declare that all Auvergne belonged of right to the

dominion of the dukes of Guienne, except the bishopric of Clermont, of which the king of France was declared lord-patron: Lewis not agreeing to this verdict, six referees were named, to determine the affair. Henry had now nothing more to do in those parts, but to receive the strong castles of Turenne from the viscount of that territory. He also bought the county of la Marche from Andebert, its earl, to whom he promised to pay fifteen thousand Anjouin pounds, twenty palfreys, and twenty mules. From thence he returned to Angers, where he kept his Christmas, with his sons Richard and Geoffrey.

This year the affairs of Ireland were as follow:

Fitz Adelm, the new governor, had made himself so hated and despised by both the English and Irish, that there was great danger of a total revolt in that country. Courcy, the second in command, was a brave and vigilant officer: he had for long time beheld with concern, though without opposition, the bad measures followed by Fitz Adelm, who regarded nothing but the indulging his passions and pleasures at the expence of the lives and properties of the unhappy natives who were under his command. At length, however, roused by the general voice of murmur and complaint, he resolved to take a bold step, which was to head the English forces without any commission from Fitz Adelm, and attack the kingdom of Ulster. No sooner had this gallant officer signified his intention, than numbers of the English crowded to range themselves under his standard; but he wisely considering, that success does not depend always on numbers, especially in a sudden expedition, but rather on the fidelity and dauntless bravery of a few well-trained veterans, chose only twenty-two knights and three hundred men at arms; and with this handful of forces he went and laid siege to Downe, the capital of Ulster, of which he presently made himself master. But while he was taking the necessary precautions to secure this conquest, by erecting a fort within the city to bridle the inhabitants and serve as a retreat to his own party in case of danger, he found himself on a sudden attacked by Dunleve, the petty king of Downe (who had retreated at the approach of the English), and Roderic, king of Connaught, at the head of ten thousand Irish. Courcy was not a man to suffer himself tamely to be pent up within walls, and therefore, making a vigorous sally, he fell upon the Irish in their camp, and, after an obstinate contest, obliged them to draw off their forces. After this he fought several battles against the Irish, whom he constantly defeated, notwithstanding the great superiority of numbers on their side, and who were so discouraged by their bad success, that they at length made very little or no resistance, and Courcy found himself at leisure to erect forts, and take every necessary precaution, for the security and establishment of the English government.

While these things passed in one part of the island, Miles Cogan had not been inactive in another; he had entered the country of Connaught, where he had some success; but, in his retreat, was fallen upon by Roderic and his forces, whom he dispersed, and brought his army back in safety to Dublin.

The mismanagement of Fitz Adelm became now so insupportable, that Henry was obliged to recall him, and put one Hugh de Lacy in his place.

At

At the same time he appointed Robert Poer to the government of Waterford and Wexford.

Henry employed his time during the remainder of his stay in Normandy, in regulating the course of justice, and providing for the security of the frontiers, by charging trusty and experienced persons with the care of the one and the defence of the other. To secure the peace of the country, he procured from the king of France letters of protection, by which that monarch declared himself ready, during Henry's absence, to assist his officers in its defence, whenever they should apply to him for that purpose; letters usually granted in those times from one king to another, when engaged together in a crusade. Having taken these wise and necessary precautions, he set out for England, where he arrived on the fifteenth of July, 1178, and on the sixth of August knighted his son Geoffrey with great solemnity, at Woodstock; who, soon after the ceremony, went over to the continent to distinguish himself by feats of arms in the tournaments which at that time were a prevailing fashion among the young military people of rank, both in France and Normandy. The rest of this year is not distinguished by any event worthy the notice of an historian; but in the beginning of the ensuing year, 1179, the younger Henry returned to England, leaving his brother Richard in Poictou.

About this time the king of France, perceiving himself broken with age, formed the design of resigning his crown in favour of his son, Philip Augustus, according to the custom of his predecessors; but a violent distemper which seized the young prince, and made him almost despair of his life, obstructed his project. Lewis was so affected with his son's danger, that he resolved, contrary to the advice of his council, to undertake a pilgrimage to the shrine of Thomas Becket, to obtain the intercession of that saint for the young prince's recovery. Henry met him at Dover, and conducted him to Canterbury, where they both offered up their devotions at St. Thomas's altar; and Lewis made a present at his tomb of a massy cup of pure gold, and gave to the monks one hundred modii (that is seven thousand two hundred gallons of wine), yearly, and freed them from all toll or custom for whatever they should buy in his kingdom: all which he confirmed by a charter under his great seal*.

It is more than probable that Lewis was instigated to take this journey by other motives than what he set forth to the eye of the world. The elder Henry seems to have been of this opinion, for, under pretext of doing him all possible honours, he scarcely ever suffered him out of his sight; and after only four days stay in England, the French monarch returned home. Henry the younger would needs accompany him back to France, to assist at the coronation of young Philip, now perfectly recovered, at Rheims†.

This year Richard de Lucy, who had been long Henry's first minister, now stooping under the weight of years and cares, resigned his office, and retired to an abbey at Lewes, in Sussex, which he

himself had founded. Upon his resignation, Henry called a great council at Windsor, in which he made a new partition of the circuits all over England, dividing the whole into four parts, and assigning to each proper judges, as follow:

Justices.	I.	Shires.
Richard, bishop of Winston, Richard, the king's treasurer, Nicholas Fitz Torold, Thomas Basset, Robert Whitefield.		Hampshire, Wiltshire, Glocestershire, Dorsetshire, Somersetshire, Devonshire, Cornwall, Berkshire, Oxfordshire.
Geoffrey, bishop of Ely, Nicholas, the king's chaplain, Gilbert Pipard, Reginald de Wichbach, the king's clerk, Geoffrey Hosee.	II.	Cambridgeshire, Huntingdonshire, Northamptonshire, Leicestershire, Warwickshire, Worcestershire, Herefordshire, Staffordshire, Shropshire.
John, bishop of Norwich, Hugh Murdoc, the king's clerk, Michael Belet, Richard del Pec, Ranulph Brito.	III.	Norfolk, Suffolk, Essex, Hertfordshire, Middlesex, Kent, Surry, Suffex, Buckinghamshire, Bedfordshire.
Godfrey de Lucy, John Cummin, Hugh de Gaerst, Ralph de Glanville, William de Bendinge, Allen de Furnellis.	IV.	Nottinghamshire, Derbyshire, Yorkshire, Northumberland, Westmoreland, Cumberland, Lancashire.

None of our historians have attempted to assign any reason for this alteration of the divisions.

Lewis, king of France, being now upon his death-bed, his anointed son Philip took upon him the government; but being himself governed wholly by the advice of his namesake and godfather, the earl of Flanders, he exercised several acts of oppression, and even obliged his mother to quit the kingdom, after having disgraced all her friends and relations. In this extremity she had recourse to young Henry, who then resided in Normandy; and he being disgusted with the revolution in the French ministry, prevailed upon his father to head the party of the exiled queen.

With this view the elder Henry went over to Normandy, before Easter, in 1180, and had an interview with the queen of France, and her brothers, the counts of Blois, Chartres, and Sancerre,

* If this act of modish devotion was imagined to be of any use to the son, it seems to have been of little to the father, who, before he got to St. Denis, was seized with an apoplectic fit, which terminated in a palsy that took away the use of his right side, and hindered him from being present at Philip's coronation. P. Daniel's Hist. de France.

† As duke of Normandy, in which right he carried before the young king a golden crown, which he afterwards assisted to hold when it was put on his head; and at dinner served the first dish upon table, as seneschal of France, an hereditary right belonging to the county of Anjou. Hoved.

who promised to be ruled by his councils, giving hostages for the performance of their agreement. Hereupon Henry raised a numerous army to support their pretensions; but was opposed by Philip in person, before he could make any progress. This check determined the king of England to propose a conference with his brother of France, between Gisors and Trie, where he made up matters between Philip, his mother, and family; and it was agreed that the queen should return to Paris, and receive seven livres* per diem for her subsistence, during the life of her husband; and after his death, enjoy the lands assigned for her dowry.

At this conference the count of Flanders did homage to the king of England, on the renewal of a former convention, by which he received from Henry a pension of a thousand pounds, in consideration of his furnishing five hundred knights to serve the king fourteen days, whenever required. The count of Clermont likewise swore fealty to the English crown, the articles of the last peace between the two kingdoms were confirmed, and the kings renewed the mutual protection of their realms†.

After having thus settled matters with the court of France, Henry acted as mediator between Henry, duke of Saxony, his son-in-law, and the emperor: the former having been exiled by the emperor for seven years, had taken refuge at the court of Normandy; Henry now interceded for his pardon, and his intercession being seconded by the pope and the king of France, the emperor at length consented to remit four years of the term prescribed for the duke's banishment.

Henry then provided for the due administration of justice in England, by promoting Ralph de Glanville to the rank of high-justiciary of the kingdom. This eminent lawyer strictly adhered to the laws of Edward the Confessor, collected in the time of the Conqueror. The public money, which had suffered the most shameful adulteration, was now recoined, and the utmost rigour of the laws exerted against all debasers of the specie, the care of which was committed to Philip Aumari, a native of Sens.

In the beginning of 1181, the elder Henry, resolving to return to England, published a proclamation commanding all freeholders and burghers of his dominions on the continent to provide themselves with arms, offensive and defensive, in proportion to their substance: an ordinance which afterwards took place in England, according to the regulation of the assize of arms, which was executed under the inspection of the justices of the circuits. This law plainly demonstrates how much the king depended upon the affection and loyalty of his subjects, whom he very prudently thought much better qualified to defend their own properties than those venal mercenaries who are found necessary by tyrants only, to assist them in trampling upon that liberty which they undertake to defend. While Henry lay at Barfleur he effected an accommodation between the French king and the count of Flanders, who had quarrelled about the influence of the queen-mother: and towards the end of August he landed in England, attended by the

king of Scots, whom he had summoned to meet him in Normandy on some ecclesiastical disputes which had happened between the Scots and the English.

This year, 1181, was distinguished by the death of two great priests, pope Alexander III. and Roger, archbishop of York.

While Henry was employed in making many excellent regulations for the better government of his dominions here and on the continent, Hugh de Lucy, whom he had a few years before made his lieutenant in Ireland, continued to rule that country in such a manner as tended most to the interest of his master, the happiness of the people, and his own honour: but having inadvertently married the daughter of Roderic, king of Connaught, his enemies (for superior merit ever has its enemies) took this occasion to poison the mind of Henry with the falsest suggestions against this able and faithful servant. Henry, who too readily hearkened to such representations, thought proper to recal Lucy, and put another in his room. But the event soon proved the error of the change: the people began to murmur; faction, which had crouched beneath the wholesome rigour of wise laws, now raised its baneful crest, encouraged by misrule and indolence. In a word, every thing was falling into confusion, when the king, who was ever ready to repair his faults, restored Lucy to his high station, joining with him in commission one Robert de Shrewsbury, as his coadjutor and counsellor. Hugh upon this returned back to Ireland, and soon changed the face of affairs for the better.

Henry's affairs were now in so flourishing a condition, that he might reasonably have expected a quiet of some years continuance; but this pleasing prospect was clouded by the unnatural ambition and conduct of his sons. The elder Henry was not ignorant of their sentiments; and though he carefully concealed his fears, he was apprehensive that another conspiracy like the former, would rob him of his crown in his old age. In this state of things, he thought the most effectual way to screen himself from their practices, would be to sow dissension among them, well knowing they were neither of them formidable asunder. For that purpose he went over to Normandy towards the end of the year 1182, where he hinted to his eldest son Henry, that his brothers ought to do him homage for the dominions they possessed, or at least whose titles they bore. The young king readily swallowed the bait, and resolved to demand homage of his brothers; but they were by no means disposed to comply. Richard affirmed that the duchy of Guienne, which was to be his portion, was not a fief of the crown of England: in this he was right. Geoffrey, however, had not altogether the same reason to be excused, since he knew the duchy of Brittany held of Normandy; but it was necessary the king should resign Normandy to his eldest son, otherwise he could have no right to demand homage: mean time the father had no intention to divest himself of that duchy, before his death, in favour of a son whose ambition had embittered all his days. On these reasons Geoffrey eluded his brother's demand: he feigned, moreover, to re-

* About five shillings and six pence of our present money.

† Hoveden, and most of our other historians, have referred the peace which was signed by the two kings, to the September following; but it appears, from the date of it as published

by Rymer, that it was made at the latter end of June, and during the life of old Lewis, who died on the eighteenth of September following.

main respectfully attached to the king his father; though he at the same time privately held with his brother Richard, whose case was the same as his own.

Young Henry, whom the king his father had politicly engaged in this dispute, soon discovered his motive: and acting with the most profound dissimulation, whilst he pretended to be incensed with his brothers, he privately took measures with them to bereave the king of the supreme power, which this undutiful son had long wished to be invested with; but, as confederates in iniquity are seldom to be bound by the ties of blood, honour, or even of interest, Richard, the second son, having taken disgust at the overbearing behaviour of his elder brother, deserted his cause, and threw himself upon his father's mercy, who received him with that kindness and benevolence which he had ever shewn towards his children.

Henry and Geoffrey, having now thrown off the mask, made themselves masters of the town and castle of Limoges, and declared openly against their father. The king, willing to bring them to a sense of their duty without coming to extremities, went in a peaceable manner, with his son Richard, and summoned the castle; but, to his infinite grief and surprize, he was answered only by a shower of arrows, several of which narrowly missed putting an end to his life.

The young king, at several different times, made concessions to his father and threw himself upon his mercy, and as often broke out again into his former unnaturality and rebellion: at length, ashamed of his weakness and double dealing, he vowed to take up the cross. His father, who in truth tenderly loved him, endeavoured to dissuade him from this resolution; but finding him obstinate, he acquiesced, assuring him that his equipage should surpass in magnificence that of any prince who had embarked in the enterprize. But the shame of deserting his party again got the better of the young prince, and he again revolted from his duty. The elder Henry finding that he could no longer put the least confidence in his oaths or submission, kept more upon his guard, and put it out of his power, or that of his brother Geoffrey, to execute any of their designs.

Mortified at repeated disappointments, and vexed to see all the measures which his malice suggested against his too indulgent parent, baffled, young Henry fell sick at Martel, a castle in the neighbourhood of Limoges, of a fever. Perceiving himself lost to all hopes of recovery, he sent to desire the king his father to come to him, that he might ask his forgiveness for his past rebellions and undutiful behaviour. But the king, afraid to trust himself in the power of those about his son's person, sent in his stead a bishop, together with his ring in token of his blessing and pardon. The bishop found him almost expiring, and received his dying request, that his father would forgive all his offences and malevolence towards him; that he would pay his knights and attendants their wages; and deal mercifully with the barons of Guienne, and others, whom he had drawn to side with him in his rebellious proceedings. All this the old king readily promised; and sent a messenger to acquaint him, that he might depend on his strict performance of his last desires; but before the arrival of this person young Henry was dead.

His death, which happened on Saturday the eleventh of June, 1183, in the twenty-eighth year of his age, freed the king his father from danger with which this unnatural son threatened him: for had he not been taken off by Providence in the height of his crimes, he had determined to come to a general engagement the Monday following, and to have used his sword in the field against the life and honour of a father, whose greatest failing was an excess of fondness for him and his other children.

Tyrrel gives us the following relation of the manner of his death. Finding that he had but a few hours to live, "He called to him the bishops and other religious men that were near him, and first in private, and then in public, confessed his great sin in rebelling against so indulgent a father: and then, after absolution, putting on sack-cloth, and causing a rope to be tied about his neck, with very penitent expressions, he entreated the bishops and others then present, to pull him out of the bed to a couch, or pallet, hard by, which he had ordered to be made of ashes; and being laid thereon, and having received the eucharist, he expired. When his servants had embalmed his body, and wrapped it in bull-hides, they put it in a leaden coffin, and buried his brains and bowels at Castel-Martel, where he died: then they carried the corpse towards the city of Rouen, to be there interred according to his last will; but while they, by the way, rested at the city of Mans, and placed the corpse in the cathedral church of St. Julian, the bishop, clergy, and people of that city would not suffer it to be taken away, but, to shew their affection to the deceased prince, there honourably buried it. But when the people of Rouen heard of it, they were much incensed, and threatened, that unless the body was speedily delivered to them, they would come and take it away by force. The king being informed of this, commanded the corpse to be taken up again, and delivered to the people of Rouen, according to his last will; which was accordingly done, and the body was buried there, in the church of St. Mary."

Young Henry had a son, born at Paris in 1177, and named William; but the child not living above three days, this restless prince now died without issue; and his widow Margaret was, in a few years, married to Bela, king of Hungary.

When the elder Henry first heard of his son's death, he appeared inconsolable; he burst forth into such excessive lamentations for the most unnatural of sons, as would scarce have been excusable if vented even for the most deserving. But his passions were strong as well as tender; and the first emotions of nature are irresistible, till a little time allows reason an opportunity of interposing its good offices for the relief of the afflicted. Thus Henry, when recovered from the first transports of his sorrow, though he still felt the pangs of a parent, forgot not what was due to the character of a king: he carried on the siege of Limoges so vigorously, that it was at last surrendered, and the other places held by the malecontents soon followed its fate. Geoffrey, upon this, was forced to submit; and Henry seemed, by his spirit and perseverance, once more to rise superior to all the attempts of his enemies.

These and some other transactions foreign to the history of England, detained Henry in France till the month of June, 1184.

The

The death of young Henry put a stop, for a while to the troubles that had so long disturbed the royal family. Richard, though naturally impetuous, remained some time quiet, to see how the king would behave to him, now that he was become his heir apparent.

During this tranquility at court, and in the beginning of the year 1185, Heraclius, patriarch of Jerusalem, arrived in England, accompanied by the great-masters of the orders of Knights Templars and Hospitallers, on an embassy from Baldwin, king of Jerusalem, to solicit Henry's aid in behalf of the Christians of the Holy Land. The patriarch, on this occasion, presented the king with the keys of the Holy Sepulchre and Tower of David, in token of their desire of having him for their sovereign, as being grand-son to Fulk, earl of Anjou, who had been king of Jerusalem. Henry, who had not the least desire to accept of the diadem of so unprofitable a kingdom, deferred giving an answer to the envoys till he had taken the sense of the nation in parliament assembled. Accordingly an assembly of barons and prelates was held at Clerkenwell, where Heraclius, in a very moving speech accompanied with tears, described the calamities under which the Christians of Palestine then groaned.

But when this matter came to be thoroughly canvassed, it was the general opinion of the assembly, that it was not proper for Henry either to accept of the crown of Jerusalem, or to go in person on an expedition to the Holy Land, since by his coronation-oath he was obliged, before all other things, to protect his own kingdom. The patriarch was not a little chagrined at this resolution of the council, and he could not forbear venting some part of his uneasiness; but Henry, to make the disappointment as easy to him as possible, offered him a large supply of money; but this was not thought equal to the presence and assistance of a prince of the house of Anjou. Accordingly the ambassadors intreated Henry that, as he could not go in person, he would at least send one of his sons: hereupon prince John, throwing himself at his father's feet, humbly prayed that he might be permitted to engage in that expedition. But Henry, who had other business in reserve for him, and who, moreover, loved his children too well to send them abroad on such visionary schemes, cast about how he might best elude the young prince's desire, without absolutely affronting the ambassadors: his wit presently suggested an expedient to him, and he told them, that he did not chuse to come to a resolution till he should have consulted the king of France concerning it; and, to blind the patriarch by a shew of earnestness in his cause, he set out with him for Normandy. The two kings had a conference upon the subject at Vaudruëil, the result of which was, that both consented to send large supplies of men and money, but neither of them would go in person.

Pope Lucius was not well pleased with Henry's refusing to take the cross, and shewed his resentment by denying him certain requests, which he would have granted had he not been dissatisfied: however, not to break entirely with him, he consented to his crowning his youngest son, John, king of Ireland, to whom he sent for that purpose a crown of peacock's feathers richly interwoven with gold. In granting this favour he expressly reserved a penny from every house in Ireland yearly,

and several other advantages; procuring in exchange for his consent, which cost him nothing, a very considerable addition to his revenues. As soon as the king received the pope's answer, he knighted his son John, and sent him governor into Ireland, not daring to have him crowned there, lest Richard should make it a pretence to ask the same favour in England, and likewise being averse to the marks of dependence on the papal see that were annexed to the pontiff's consent. John went over to take possession of his new government in Easter-week, 1186, attended by four hundred knights, or men at arms, most of them Normans, a great body of infantry, and some civil officers. John, on his arrival, was received by the people with great marks of respect, as a person whom they looked upon as their future sovereign. But the levity of the Normans, and the inexperience of John, disgusted the Irish so much, that they were on the point of forming fresh confederacies against the English, when Henry, apprehending the consequences, recalled his son: a conduct which can never be sufficiently admired, thus to deprive a darling child, who had never offended him, of a place of so great dignity and profit, because he found him unfit to fill it with credit to himself, or satisfaction to those under him.

Henry continued in Normandy from the end of March to the beginning of the next year, during which time he restored the king of Scots, who had never interfered in the dissensions between him and his sons, to the great earldom of Huntingdon. After this he had a conference in relation to the affair so long depending between the French princess Alice and Richard; but, notwithstanding that Philip offered the most advantageous terms to have the match consummated, Henry never would give a direct reply; which has, not without reason, given most writers occasion to represent his connections with that lady, and his conduct to his son, in the most disgraceful and unnatural lights. Finding himself too warmly pressed, both by his son and the king of France, he hastily returned to England, without declaring any fixed resolution: his pretence was an insurrection raised by the Gallowingsians, in Scotland; but he no sooner approached that country, than Roland, the prince of Galloway, came and made his submission. Soon after, William, king of Scotland, marrying Ermengarde, grand-daughter of Roscelin, viscount of Beaumont, and Constance, the natural daughter of Henry I. the king gave a rent of one hundred marks, with fifty knights fees, as a portion to Ermengarde; and at the same time delivered up to William the castle of Edinburgh, which he had kept in his own hands ever since the treaty of York. The nuptials were solemnized at Woodstock, in the presence of Henry; but scarcely were the rejoicings on that occasion over, when Henry received news of the death of his son Geoffrey, earl of Brittany, a prince in whom pride, dissimulation, and perfidy were equally blended; and who had a principal share in causing those troubles that had clouded part of his father's reign. He had lately demanded the county of Anjou, and met with a denial, because Richard would not consent to the alienation of that province. Exasperated at the refusal, he retired to the court of France, and agreed to hold Brittany in vassalage of Philip, and shake off all subjection to his father, provided the French

French monarch would assist him with an army to invade Normandy. But the execution of this perfidious design was anticipated by death*.

This prince left behind him a daughter, named Eleanor, and his wife Constance big with-child, who was quickly after delivered of a son, named Arthur.

Henry was very desirous of having the guardianship of these infants, for a pretence to keep Brittany. With this view he took a journey thither, in expectation of obtaining the consent of the states: but Constance, his daughter-in-law, strongly opposed it. She affirmed, that, being mother of the children, it belonged to her to take care of their education; moreover, she maintained, they had no claim to any thing till after her death, since their father was earl of Brittany only in her right†. But Henry, as grand-father, insisted upon the natural title to the guardianship of his grand-children. The states of Brittany, who were more afraid of his power than convinced by his reasons, were in great perplexity: justice and their own interest required that Constance, to whom the earldom belonged by inheritance, should have the government; but, on the other hand, it was dangerous to send away the king without some satisfaction. In short, they found an expedient, which the king assented to, as finding that he could not obtain more: this was, that the countess should be made guardian of her children, and it was decreed that all orders and public acts should run jointly in the name of her and her son; but with this proviso, that nothing of moment should be transacted without the advice and consent of the king of England. Before he quitted Brittany, Henry caused the states to swear fealty to young Arthur, as their sovereign; being apprehensive, in case Constance should marry again and have children by a second husband, she would prefer them before those of the first.

Henry would not, perhaps, have been so easily satisfied, had he not been afraid that Philip, king of France, would have interposed in the affair. This prince, though young, was meditating grand projects: he could not patiently behold so many of the best provinces of his kingdom in the hands of the English; and, since his accession to the throne, had formed a design to wrest them out of their hands, and for that purpose eagerly sought for a proper opportunity. Pursuant to this resolution he imagined that the dissention, which at this time prevailed between Henry and his son Richard (on account of the latter having refused to cede Anjou to his brother Geoffrey), was too favourable a juncture to be neglected. He was persuaded these princes being divided and unarmed, and not suspecting they were going to be attacked, he might have a fair chance to strip them of some part of their dominions in France, before they could be in a condition to defend them. In this belief he made extraordinary preparations, and, as soon as he was ready to act, summoned Richard to appear and do him homage for Poitou; and required Henry to restore the Vexin, with all the dowry of Margaret, his eldest son's widow. But here Philip found he had taken his measures wrong; for Henry and Richard uniting for their common interest, kept him so employed, the one in Normandy, the other in

Guienne, that he was forced to sue for a truce, which was granted him for two years.

Having experienced how difficult it was to compass his ends so long as Henry and his son continued united, he did not long defer his endeavours to foment discord between them; and the better to insure success to his project, he took occasion, during the truce, to invite Richard to pay him a visit at Paris, where he gave him the most cordial reception, and even shared with him all the familiarities of life. These caresses wrought the desired effect on the mind of the young prince, who never once suspected the motive. In a little time he entertained so strong an affection for Philip, that he made him the confident of all his heart-burnings against his father, which confidence Philip took especial care to turn to his own advantage: he affected to have his interest greatly at heart; he lamented that a prince of such promising hopes should be kept under guardianship, like an infant, by an ambitious father, who consulted only to aggrandize and enrich himself at the expence of those who were the nearest, and ought to be the dearest to him; and he failed not to dwell upon the old subject of rancour, that of Henry's so unjustly and iniquitously keeping from his son the person who had been betrothed to him for several years as his bride: in a word, the politic Frenchman omitted no one circumstance he thought most likely to work up Richard's mind to the pitch of discontent and rebellion which was so necessary to his purpose: Richard gave into the snare, and his disposition of mind became such, in a short time, as gave Philip the greatest hopes of attaining his ends.

In the mean time Henry grew extremely uneasy; he apprehended some mischief hatching, and endeavoured several times to detach Richard from his intimacy with Philip. Instead of making a proper reply to these wise and parental admonitions, Richard still continued at the court of France, and even found means to seize upon some of his father's treasures on the continent, which he employed in fortifying his castles in Poitou, and renounced his allegiance to his father, unless he would immediately consent to his coronation.

Henry had smarted so sensibly from the experiment of that kind which he had made in favour of his eldest son, that it was not to be supposed he would willingly repeat it in behalf of the passionate and headstrong Richard, and he therefore refused the proposal. However, as he was unwilling to provoke him by any unnecessary severities, he employed every gentle method to bring him back to his duty: he dispatched a trusty messenger to represent to him, that he had imprudently given into the snare which had been spread for him by Philip, whose sole aim was to sow dissention between him and his father, that he might make an advantage of their misunderstanding. At last the young prince seemed to be sensible of his errors, and, repairing to Angers, submitted to his father, binding himself by a solemn oath, that he would never more deviate from his allegiance: but, notwithstanding this promise, he soon after received the cross from the archbishop of Tours, without the king's consent or knowledge.

* He was unhorsed in a tournament, and so much bruised that he fell ill of a fever, which carried him off in a few days. He was generally distinguished by the appellation of the

Child of Perdition. He died on the nineteenth of August, 1187.

† She was daughter to Conan le Petit, earl of Brittany.

Towards the latter end of the year 1187, Philip raised a great army, and made a formal demand from Henry of the places he held on the presumption of Alice's marriage with his son Richard, or that the marriage should be immediately consummated. Upon Henry's continuing to evade this demand, Philip actually began hostilities; but just at that time the animosity of the two monarchs was for a while suspended, upon the melancholy news that the city of Jerusalem was taken by the great Saladin, sultan of Babylon, and that Guy de Lusignan, the last that swayed the sceptre of that kingdom, was in the hands of the Infidels. As the union of the Christians had formerly been the means of conquering Palestine, their dissention was the cause of its destruction, after they had been in possession of it near a century. This news, which threw the princes of Europe into great consternation, was particularly fatal to pope Urban III. who died of grief. He was soon followed by Gregory III. his successor, who sitting in the papal chair but three months, made room by his death for Clement III.

The two kings of France and England were sensibly affected with the calamities of the Christians in the East, and upon this occasion they resolved with one consent to drop their private quarrel for the cause of God (for so it was termed in those days), and hold a conference, to consider of means to remedy this misfortune. At this interview, which was held between Gisors and Trie, on the twenty-first of January, 1188, their first business was to renew the truce; after which it was agreed between Philip, Henry, and the earl of Flanders, that they should all take the cross*. A convention was then entered into between the two kings, for establishing a land-tax towards defraying the expences of this important expedition; and it was resolved that a tenth of all rents and chattels, as well of the clergy as laity, should be raised in their territories†.

Henry having given orders for raising this tax in his foreign dominions, sailed from Dieppe to England, landing on the thirtieth of January at Winchelsea. Immediately on his arrival he summoned a general council of his prelates and nobility, which met on the eleventh of February at Gedington, now Gaitown, in Cheshire, where it was agreed to levy a tenth of all rents and moveables, of arms, houses, cloaths, vestments, jewels, and of every other commodity, except the corn of that year's growth; and this was to extend to Jews as well as Christians, and to be paid by the Candlemas following: but all those who engaged in the crusade were exempt from this tax, and even permitted to levy a tenth upon their vassals and tenants, and to mortgage their own estates for the space of three years. The king sent Hugh, bishop of Durham, and some other noblemen, to press William, king of Scotland, to raise a like tenth in his dominions, which he readily promised, being, like most other princes in Europe, infected with the reverence of religious knight-errantry, so prevalent in those days. He accordingly summoned a general assembly of all his prelates, earls, and barons, and an infinite number of his vassals and free tenants, and proposed the matter to them in

presence of Henry's ambassadors. After mature deliberation, the council rejected the proposal, and resolved to grant no tenth; declaring, moreover, that "they would never give it, even though the king of England, nay their own lord the king of Scotland, should attempt to force them to it:" nor could all the persuasions of William, or the intreaties of the English deputies, make them change their resolve. A remarkable instance this, of the independency of the Scottish parliament, which was undoubtedly formed upon the plan of that of England; and of their power in granting money, and laying taxes upon the subject.

Henry, vexed at the refractoriness of the Scots, seems to have vented his disgust upon his own subjects, by exacting the contributions with the utmost severity. Gervase of Canterbury says, that he sent his collectors throughout England; and pitching upon the richest persons in every city, for instance, two hundred in London, and one hundred in York, obliged them to be answerable for the sum taxed upon their respective cities; such as refused were imprisoned until they had paid the utmost farthing. The same author adds, that the English paid above seventy thousand pounds towards this tythe, and the Jews in England sixty thousand pounds; which, according to the present value of money, amounts to very near two millions.

About two or three months after this transaction, almost all Poitou took up arms against Richard, upon a very frivolous occasion. This prince, who was engaged in the crusade, having occasion for a sum of money to equip him for the expedition, came into Poitou to raise it. While he was employed in this affair, an officer belonging to Raymond, earl of Thoulouse, passing through his territories, and giving him some cause of disgust, he committed him to prison. Raymond, upon notice thereof, ordered, by way of reprisal, two Poitevin gentlemen to be arrested as they were returning through Thoulouse, from a pilgrimage to St. Iago de Compostella. These violent proceedings caused a very warm quarrel between the two princes; and Richard, out of pique, took occasion to revive the pretensions of the house of Poitou to the earldom of Thoulouse. This furnished him with a pretence to enter earl Raymond's country with a powerful army, where he soon made himself master of Moissac, and several other places. The earl finding himself so unjustly engaged in a war, and not doubting but that Henry of England was privy to the proceedings of his son, he demanded the assistance of France.

Philip had been treating for some time with the barons of Berry, and with those of Auvergne, to debauch them from their allegiance to the king of England; and they, gained by his promises, were ready to join him, and deliver up their castles for his service. This treaty, however, had not been conducted so secretly but that it came to the ears of Henry, who sent to upbraid Philip with this breach of faith, and at the same time to clear himself from having the least hand in the invasion of the count of Thoulouse's territories, which he declared to have been undertaken by Richard without his knowledge. Philip finding his clandestine measures discovered, and having more at heart to add

* On this occasion Philip chose a red, Henry a white, and the earl of Flanders a grey cross. Those of their subjects that engaged in this crusade, imitated them in this distinction of colours.

† This tax, from the occasion and manner of raising it, took the name of the Saladin Tythe.

one town to the domains of France, than to recover all Palestine out of the hands of the Infidels, thought fit at last to throw off the mask: he had sworn to suspend all differences, and forbear hostilities, until the crusade was over; he had, as a sworn brother in that enterprize, undertaken the protection of Henry foreign dominions; but, forgetting all obligations of honour and conscience, he, under colour of assisting the earl of Thoulouse, his vassal, now fell with an army into Berry, which he over-ran, taking a great many of its principal places, or having them delivered into his hands by those of Henry's French subjects whom he had drawn from their allegiance. He then burnt Mount-Richard, and took several towns in Auvergne.

The beginning of this war furnishing us with no remarkable events, we shall only take notice of its consequences, which proved very fatal to the king of England. Whilst it was vigorously prosecuted on both sides, all on a sudden, when Henry least expected it, his son Richard left him, and went over to the king of France. This probably was owing to the intrigues of Philip, who suffered no opportunity to escape him of encouraging Richard in his rebellious disposition. But historians not having unfolded to us the secret springs of this defection, we shall not amuse nor mislead our readers with empty or ill-founded conjectures. This, however, is certain, Richard pretended to have two causes of complaint against the king his father: the first was, that he detained from him the princess Alice, and had even offered Philip, who pressed to have the nuptials solemnized, to marry her to prince John, upon more advantageous terms: whether this was fact, or Philip had imposed upon him by a falsity, he pretended to believe that a project had been formed to deprive him of his birth-right, and place his younger brother on the throne. The other occasion of complaint was, that Philip having offered to consent to a truce, Henry had refused it, affirming that it was better to conclude a peace and adjust their respective pretensions before they went on their expedition into the Holy Land: this displeased Richard, as he would thereby have been obliged to restore his conquests in Thoulouse, of which, by a truce, he might still have kept possession. To crown his unnatural treachery and rebellion, Richard now, without the knowledge or consent of his father, swore fealty and homage to the king of France.

Notwithstanding this provocation, Henry, who now saw plainly the engagements into which Richard was entered with Philip, was yet obliged to agree to a truce until the middle of January following. To this he was particularly induced by finding that Richard had gained over most of his provinces in France to side with him, by which Henry was almost disabled to maintain the war: nay, the revolt was so general, that, keeping his Christmas at Saumur, he had the mortification to see himself attended only by three or four nobles.

But Henry's vexation was farther increased by the ill success of the following campaign; for in the spring of 1189, Philip, taking the field, reduced la Ferté, Bernard, Montfort, Malestable, Beaumont, and Balon: then, taking the route to Tours, wheeled about unexpectedly, and marched directly to Mans, where Henry was quartered with seven hundred knights, and a small body of forces.

The sudden appearance of the enemy threw Henry's followers into such confusion, that Stephen de Tours, seneschal of Anjou, setting the suburbs on fire, the flames were suffered to spread over the walls, and occasioned a conflagration in the city. Geoffrey de Brueillon endeavouring to stop the progress of the enemy, by breaking down a stone bridge built over the Sarthe, was attacked, wounded, and taken prisoner; and his men flying in disorder, were pursued by the French to the city, which they entered along with them in the general confusion. Henry finding it impracticable to rectify the disorder occasioned by the fire and the enemy, retired with his troops towards Fruelles, leaving thirty knights, and twice that number of soldiers, in the tower of le Mans, which, having been furiously battered three days was obliged to surrender.

Henry, whose presence of mind never abandoned him amidst the greatest dangers, immediately resolved to take such measures as might prevent the farther progress of the enemy: accordingly, next day, he dispatched William Fitz Ralph, seneschal of Normandy, with William Mandeville, earl of Essex and Aumale, to defend that province; and ordered his chancellor, Geoffrey, to proceed with the main body of his army to Alençon: he himself repaired with a small train to Angers, and was soon after joined by Geoffrey, with a party of knights, at Savigny.

In this wretched condition of his affairs Henry had recourse to the pope (Clement III.) desiring him to interpose his authority, and procure a peace. But this method proved ineffectual: indeed the pope sent legates into France, who threatened Philip and Richard with excommunication, as being the causes of preventing the carrying on the expedition to the Holy Land; but these menaces fell far short of the imagined effect. The French monarch, with great spirit, replied, "that the pope had no right to intermeddle in the affairs of his kingdom, especially when the business in hand was the chastising a vassal who had taken up arms against his lord:" adding, with an insulting air, "that he supposed the smell of Henry's sterlings had made the legates so warm in his cause." Richard is said to have been so much incensed at the interposition and threats of these churchmen, that he drew his sword and would have run Agnani, one of the legates, through, had he not been prevented by those present.

In the mean time, Philip and Richard proceeded in their conquests with little or no opposition. Several great Norman barons delivered up their fortresses and joined the confederates; the castles of Tours, Roche l'Eveque, Montoire, Chateau du Loir, Chaumont, Amboise, and Roche Corbeau, surrendered without resistance: in a word, Henry found himself, in his old age, abandoned by his friends and subjects, and on the point of being stripped of his dominions, his crown, and perhaps his life, by an unnatural son; for it is more than probable that his person might have fallen into the hands of his enemies, had not the neutral princes, who were feudatories to the crown of France, thought it high time to interpose. The earl of Flanders, the duke of Burgundy, and the archbishop of Rheims now applied to Henry to accept an accommodation upon the best terms he could get. The distressed monarch, dreading the consequences of so unfortunate a war, and finding the

the pope could do him no service, was forced at length to comply. The place appointed for the treaty was Azay, near Tours. Most of the articles of the treaty were left to the arbitration of the king of France, who transmitted them, by the hands of the count of Flanders, attended by the duke of Burgundy and the archbishop of Rheims, to Saumur, where Henry then resided, in order to receive his approbation. Henry, who was in no condition to refuse any terms which his enemies might think proper to impose, acquiesced in the articles, such as they had been agreed upon by the legates, the nobility, and prelates of both kingdoms, at the place of conference. This treaty has been very erroneously given by many of our modern historians, we shall therefore insert it as it stands in Hoveden, who set down the articles from the minutes which were drawn up at the meeting.

Conditions of Peace between HENRY, king of England, and PHILIP, king of France.

"This convention is between the aforesaid king of France, and king of England, and Richard, earl of Poictou, with their archbishops, bishops, earls, and barons, at the feast of the apostles Peter and Paul, at a congress between Tours and Arasie, where the king of England entirely puts himself under the conduct and upon the will of the said king of France; that is to say, the king of England did then repeat his homage to the king of France, because, in the beginning of the late war, the king of England had defied the king of France, and the king of France had refused the king of England's homage. It was then likewise stipulated by the king of France, that his sister Alice, whom the king of England had in custody, should be delivered to the keeping of one of five persons whom earl Richard should chuse. The king of France next stipulates, that he shall have an oath of performance on the part of the king of England's subjects, for the delivery of his said sister to earl Richard, upon his return from the Holy Land: and farther, that earl Richard shall receive the homages of his father's subjects, both in England and upon the continent; and that no baron, or knight, who in this war had left the king of England and come over to earl Richard, shall return to the king of England before he is within a month of his departure for Jerusalem, which will be about the middle of Lent. At which time the aforesaid kings, and Richard, earl of Poictou, shall be at Vezelay; and all the burghers of the king of England's own towns shall be free throughout all the kingdom of France, according to former customs, nor be impleaded in any matter but in felony. The king of England is to pay to the king of France twenty thousand marks of silver; and all the barons of England are to swear, that if their king should refuse to observe those terms, that they will observe them with the king of France and earl Richard, and to the utmost of their power assist them against the king of England. And the king of France and earl Richard shall keep in their hands the cities of Maine and Tours, with the castles of Ligdi and Trou; or, according to the king of England's option, the king of France and earl Richard shall hold the castle of Gisors and the castle of Pacey, until the performance of the above ar-

ticles, according to the disposition of the king of France."

This treaty was first ratified at Azay, on the thirtieth of June, 1189; and on the fourth of the succeeding month was signed by Henry, in another conference held at the same place, and at which he assisted in person. Here he met with a mortification that was more severe to him than all his other misfortunes: he discovered, that, during the late war, his beloved son John held intelligence with Philip, and was concerned in all his brother's plots to dethrone a father, who had ever shewn a tender affection for him. This stroke was too much for human nature, already bowed down with old age, infirmities, and a series of ill success, to support. His grief threw him into so violent a rage, that he cursed the day of his birth, and laid his own irrevocable malediction, and prayed for that of God, upon his sons. He then departed, in all the anguish of a fallen king and a forsaken father, to Chinon; where, shortly after, perceiving his end to approach, he caused himself to be carried into the church, before the altar, where, after confessing himself, he expired of a broken heart, on the sixth of July, 1189 (being two days after he had signed the articles of Azay, and) after reigning thirty-four years, seven months, and four days, and in the fifty-seventh year of his age. No sooner was the breath departed from the royal corpse than, like that of his great-grand-father the Conqueror, it was deserted by all the late attendants, but not till some of them had, with the most shocking and indecent insolence, stripped it of all its coverings, leaving it exposed naked in the church; at length, one of the pages, less brutal than the rest, returned and threw over it a short mantle. It was afterwards conveyed, by the care of his natural son Geoffrey, to the abbey of Fontevraud, in a magnificent manner, and there interred*.

Such was the end of Henry II., one of the most illustrious princes of his time, both for greatness of genius and extent of dominions. He was temperate to a degree of abstinence in his living; robust and vigorous in his constitution; eloquent and persuasive in his discourse; infinitely good-natured, and the politest prince of his age; very compassionate to all in distress, and ready at all times to give them relief. He had great natural parts, with a solid judgment; and these improved by an uncommon share of learning for the times he had lived in. He was endowed with an extraordinary memory, insomuch that he never forgot any person he had ever seen, or any thing he had either read or heard, worthy notice: by this means he was perfectly well versed in history, and had to assist him the experience of all ages. In the field, his courage, which yielded to none, was tempered with that prudent caution which constitutes the good general: he excelled in military skill, and was ever collected amidst the greatest dangers of the field. He never engaged in a war without an absolute necessity; nor ever terminated one without giving signal proofs of his lenity to a vanquished enemy. He was wise in council, moderate in prosperity, firm in adversity. Not satisfied with enacting good and wholesome laws, he took care to see them executed with the greatest

* Where afterwards it was, together with the bodies of queen Eleanor, his son Richard and his queen, honoured with a noble monument, erected by a natural daughter of Henry IV. king of France.

punctuality: for this purpose he made frequent progresses through all the different parts of his dominions, inspecting the behaviour of his officers and magistrates, and severely punishing those who were either negligent or unjust in the performance of their duty. His religion was that of the pious and sensible Christian; as such he despised all ostentatious shew of devotion, and the modish custom of founding monasteries and endowing them with privileges destructive of order and discipline. Fitz Stephens, one of the most zealous partizans of Becket, in the height of that quarrel and of his own sufferings, being banished on that account, gives this character of him: "He was (says he*) endowed with so many and such excellent gifts, both of nature and grace, that there was not a prince in the world comparable to him: and if he had but shewn a little more deference to the church, no encomium could come up to his merit." And here it must be confessed that affair was of a very delicate nature; and, considering the notions and circumstances of the times, any other king must have sunk under it. His sole view in opposing the insolent demands of Becket, and his colleague pope Alexander, was to serve the church of England, to assert her independency, and to make the metropolitical church of Canterbury the dernier ressort in all ecclesiastical matters, without any appeal to Rome: so that Henry was really the champion for those rights and liberties of the church of England and of the see of Canterbury, which Becket laboured with all his might to subvert, and subject to the court of Rome†.

But as no human character can attain to perfection, we find this great monarch's virtues alloyed by many frailties and infirmities. His fondness for power and his passion for women, proved the sources of those numerous calamities which disturbed his reign, and embittered his private life. But as the monks thought themselves slighted by him, and hard treated in the person of their champion, Becket, they have been very industrious in propagating many idle stories to the prejudice of this excellent prince's character, which seem to have been too readily credited by our historians. The accusation upon which his enemies seem to lay the greatest stress, is his unnatural and unlawful commerce with the French-princess Adelais, or Alice, his son Richard's betrothed wife: but most of their endeavours, instead of proving his guilt, have only demonstrated their own malevolence and rancour; for, in the first place, it should be considered that Henry was so continually taken up with business, that he had scarce a moment unemployed, much less was he master of sufficient leisure to pass in amorous dalliance; in the next place, Henry had the greatest reason to be apprehensive of another alliance with France, and therefore was actuated by the dictates of the soundest policy in preventing, if possible, this match. As to Richard's repeated demand of her, it appears to be little more than grimace; accordingly, as soon as his father Henry was laid in his grave, his behaviour shewed his complaints in general to be only pretences to colour his rebellion: he had earnestly desired leave to consummate his marriage with Alice, and accused his father of injustice in obstructing his happiness; yet when, on his accession to the crown, the pretended happiness was in his power,

he thought no more of it; on the other hand, his jealousies and fears of his brother John's supplanting him in the succession vanished as suddenly; for, instead of returning to England immediately, as he would certainly have done had he been apprehensive of that prince forming any cabals, he staid above a month in France after Henry's death, without shewing the least uneasiness on that account. Upon the whole, I think we may candidly infer, that the story of Alice being debauched by Henry, or any other person, to be mere surmise, and an effect of the impertinent guesses of people, in order to account for an event, the reasons whereof they did not understand. Lastly, as the frailties of kings are ever more conspicuous than those of private persons, and excite the curiosity of the world in a much higher degree, it is very strange if Henry (as some pretend) had a son by this princess, no memorial of him, not so much as his name, should be ever preserved by any writer, nor any notice taken of him by his father, or the sons or successors of that father, who, in the language and according to the practice of that age, would have called him their brother, and treated him as such in many respects.

However this matter was, or whatever other failings Henry might have had in common with the rest of mankind, thus much may be asserted with truth, that his virtues were beneficial to his subjects, and his vices pernicious only to himself: in a word, he was the king, the priest, and the father of his people.

As to his political character, that will more clearly appear, when we come to give an account of the many excellent laws and regulations he made during the course of his reign.

It now remains that I should speak of Henry's family and issue.

By his queen Eleanor, the sole heiress of William, duke of Aquitaine, and the repudiated wife of Lewis VII. (or the Young) king of France, he had,

1. William, his eldest son, who died an infant, in the second year of his father's reign.

2. Henry, his second son, who was born the twenty-eighth of February, 1154, at London; and was, when but a child, married to Margaret, daughter to the king of France, by Constance, his second wife.

3. Richard, born at Oxford, in the palace called Beaumont, A. D. 1157, and succeeded his father on the throne.

4. Geoffrey, who was born the year following; and was, in right of Constance, his wife, earl of Brittany and Richmond, by whom he had a daughter named Eleanor, and a posthumous son called Arthur; of both whom more will be said in the following sheets.

5. John (surnamed Sans Terre, or Lackland, on account of the little provision made for him during his father's life), who mounted the throne upon the death of his brother Richard.

King Henry had likewise three daughters:

1. Maud, or Matilda, the eldest, born A. D. 1156, who was married to Henry, duke of Saxony, in 1167; but she died immediately after her father.

2. Eleanor, born A. D. 1162, and married to Alphonso, king of Castile, A. D. 1176.

3. Joan, or Joanna, born A. D. 1165, and married to William, surnamed the Good, king of Sicily, A. D. 1177.

* Epist. St. Th. lib. i. epist. 103.

† See Anglia Sacra, vol. ii. p. 523, 524.

Besides his lawful issue, Henry had two natural sons by Rosamond above-mentioned.

1. William Longue Espée, to whom Richard I. gave the earldom of Salisbury, with Ela, daughter and heiress of William d'Evreux.

2. Geoffrey, who was first bishop-elect of Lincoln, in 1174, and continued so till 1181; and in the reign of his brother, king Richard, he was elected archbishop of York, against a powerful opposition.

There was also one Morgan, a Welshman, provost of Beverley, who pretended to be a natural son of king Henry, by the lady of sir Ralph Blewet, knight. In 1213 he was elected bishop of Durham, by the unanimous consent of the monks of the chapter; and going to Rome for consecration, the pope offered to confirm his election if he would disclaim his pretended birth, and acknowledge himself to be the son of Ralph Blewet: but Morgan refused the proposal, declaring that he would not renounce the honour of being sprung from the blood-royal to obtain any dignity whatever. The pope's offer seems to imply, that there was no other proof of Morgan's being a son of Henry, than his own assertion, otherwise he could not regularly have given him such an alternative: but all ages have produced some wrong-headed mortals, who, without any foundation but their own vanity, have either believed themselves, or endeavoured to make others believe, that they were sprung from royal origin.

Some historians relate, that in the reign of Henry II. there was found in the abbey-churchyard of Glastonbury a grave containing three bodies, laid one upon another, each in a separate coffin. It was pretended the first contained the remains of Guinever, second wife of the great Arthur; the second those of Modred, his nephew;

and the third the body of Arthur himself; this latter being distinguished by a leaden cross, with this inscription, "Here lies the illustrious king Arthur, in the isle of Avelon." As to the account of the supernatural size of his bones, it is justly deemed fabulous.

About 1176, being the twenty-second of Henry's reign, London bridge was began to be built with stone, by Peter Coleman, a priest: the king contributed to the advancement of so good a work; a cardinal, who was then legate here, and the archbishop of Canterbury, gave a thousand marks towards it. The course of the river Thames was, for the time, turned another way by a trench dug for that purpose, beginning at Battersea and ending about Rotherhithe. The bridge was thirty-three years in building. Stowe's Survey.

In 1177, king Henry laid the foundations of Warwick castle. Idem.

In 1178, the Jews obtained permission to have a burial-ground near every town where they dwelt. Before, they had but one in England, which was at London. Brompt. & Hoved.

About Christmas, A. D. 1179, being the twenty-sixth of Henry II. faith Roger Hoveden, at a place called Oxenhall, near Darlington, in the bishopric of Durham, the earth was on a sudden raised to a prodigious height, and remained several hours in that position; when it as suddenly sunk down again with an horrible noise, leaving a deep chasm or pit, which continues to this day; and Mr. Camden, in his Britannia (new edit. p. 774.) supposes it to be the wells that are now called Hell Kettles.

In 1185, there was a violent earthquake, which overthrew the church of Lincoln, and other churches: at the same time there was an almost total eclipse of the sun.

RICHARD I. surnamed COEUR DE LION. A.D. 1189.

RICHARD, who was on the continent at the time of his father's decease, no sooner received the news of that interesting event, than he hastened to have an interview with king Philip of France, in order to do him homage for his Norman dominions, as also to return him thanks for the protection himself and his brothers had, from time to time, received at his hands. A conference was accordingly held between the two kings at a place between Chaumont and Trie, on the twenty-second of July. Here Philip insisted upon the restitution of Gisors and other places; but, instead of them, the king of England agreed to pay him four thousand marks of silver, over and above the twenty thousand his father Henry had engaged to pay by the late treaty*.

This matter settled, Richard next repaired to Rouen, to receive in that city the ducal crown of Normandy, and to be girt with the sword of that duchy, agreeable to the forms of investiture at those times. This twofold ceremony was performed by the archbishop of Rouen, in the presence of the bishops, earls, and barons of Normandy. Here he made a stay of near six weeks, by which he

plainly shewed that he was under none of those apprehensions about the succession in England, which he had, during his father's life-time, so often used as a pretext for his refractoriness and rebellion. The behaviour of the English, indeed, upon his accession was such as left him no room for such apprehensions, for, as soon as Henry II. was dead, they executed the orders sent by Richard from Normandy, with as much readiness and punctuality as if he had been long in possession of the throne.

His first care, upon finding himself invested with regal power, was the releasement of his mother Eleanor, who had now been a prisoner (of state, indeed, and so more at large than others) for upwards of sixteen years. With her liberty he bestowed on her the administration of the government here, during his absence; and, moreover, he gave her authority to pass a general act of amnesty; and settled on her, for the maintenance of her person and dignity, the sums which Henry I. and king Stephen had granted to their queens for a dower, besides what Henry II. her husband had allowed her.

* See p. 292.

Engrav'd for
MORTIMER'S
History of England



S. Wale delin.

C. Grignon sculp.

RICHARD I.



Eleanor, who herself had experienced the deprivation of that most inestimable of all blessings, liberty, no sooner was invested with these powers, than she hastened to throw open all the prison-gates throughout the kingdom, and to remit all forfeitures claimed by the law. This endearing and popular act was a very proper prelude to the oath of allegiance which she soon exacted from all degrees in the nation to Richard, as king of England. At the same time the earl of Leicester and others were restored to their estates, of which they had been deprived by the late king.

And now Richard, having settled all his affairs in Normandy, embarked at Barfleur, on the eleventh of August, and on the thirteenth landed at Portsmouth, where he was met and attended by the archbishop of Canterbury, and the bishops of Rochester, Lincoln, and Chichester. From thence he went to Winchester the next day, where he took an account of his father's treasures: and on this occasion he gave such an instance of a tyrannical and arbitrary exertion of power as afforded his subjects but a melancholy presage of his future reign.

Stephen de Tours was a man of low birth, but great talents, and had, by his capacity, diligence, and fidelity, recommended himself so much to Henry that he had made him seneschal of Anjou, and entrusted him, not only with the government of several important fortresses in that province, but also with the keeping of his treasures; and, as a farther mark of his regard and esteem, had given him a lady of noble birth and great fortune (who was a king's ward) in marriage. This man Richard seized upon, loaded with irons, and confined him in the castle of Winchester till he had delivered up not only all the forts and castles in his custody, but also all his own fortune, amounting to forty-five thousand pounds, Anjouin money: then he caused him to be divorced from his wife, because she was of noble descent, and he of inferior and ignoble birth; and declared he would, by his own authority, annul all such unequal marriages. It may, perhaps, after this treatment, appear strange that Richard should continue this person in his post as governor, and afterwards employ him in the management of the revenues of Anjou; but it is not the only instance of the inequality of this prince's behaviour.

His good-sense and judgment, however, appeared more conspicuous in his very next act, which was that of degrading and banishing from his court all those who had rebelled against the king his father. This has, by many writers, been brought against him as a charge of ingratitude; but his own words, on this occasion, will be the best excuse for, or rather panegyric on, his conduct: Guy le Val the younger, Ralph de Fougeres, and

Judael de Mayenne demanded to be restored to their lands and castles (which being forfeited by former rebellions, had been seized by Henry), in recompence of their services to Richard in his last revolt; Richard accordingly put them in possession thereof, agreeable to his convention with them at the time they abandoned the late king to side with him; but he turned them out again the very next day, saying, "That such who had deserted their liege-lord and assisted others against him, deserved only to be rewarded in that manner."

The jealousy which he had expressed of his brother John, seemed now to be totally annihilated, or to have given way to the more politic consideration of making a friend of the only adult heir apparent to the crown; for, soon after his return to England, Richard increased (or rather formed) his appenage by grants of the estate of William Pepperel, and the castles of Marlborough, Luggershall, le Pec, Bolsover, Lancaster, Nottingham, Tuxhill, and Wallingford, with all the honours and forests annexed to those castles; to which, in the overflowings of his new-conceived kindness and affection, he added the earldoms of Cornwall, Devon, Dorset, Somerset, Nottingham, Derby, and Lancashire, with the still greater earldom of Gloucester, and the heiress of that family in marriage; by all which honours John was made master of considerable parts of the realm, at the very time when the king, as we shall hereafter see, had in view to leave the kingdom to embark on a long, remote, and hazardous expedition.

It has been already observed, that the queen-mother had, previous to the arrival of Richard in England, secured the oaths of allegiance from the several orders of the state in his behalf; nothing therefore now remained but to have them renewed and ratified, which was accordingly done on the third of September, when he was solemnly crowned by Baldwin, archbishop of Canterbury, at Westminster, having removed thither from Winchester. On this occasion his oath was conceived in the following terms: "That he would duly serve almighty God, with the church and her ministers, all his life: that he would exercise right justice and equity to his people: that he would abolish all evil laws and bad usages, if any such had been introduced into the kingdom, and enact good laws, which, without fraud or mental reservation, he would keep." After this the prelates and nobles did him homage, and swore fealty to him as their liege-lord and sovereign. His coronation was performed with great pomp and magnificence; and, as it may be amusing to the curious reader to compare the manner of performing that ceremony in ancient and modern times, we have given a description of it in the notes, not to interrupt the thread of our narration*.

While

* The archbishops of Canterbury, Rouen, Triers, and Dublin, with the other bishops and abbots, having the cross, holy water, and censers carried before them, received the duke at the door of his privy chamber, and conducted him, with a solemn procession, to the abbey-church of Westminster. In the middle of the bishops and abbots went four barons, each carrying a golden candlestick with a taper. After them came Geoffrey de Lucy, bearing the royal cap; and John de Mareschal next, with a massy pair of gold spurs; then William, earl of Pembroke, with the royal sceptre; after him William Fitz Patrick, with a golden rod having a dove on the top: then three other earls, viz. David, brother to the king of Scotland, as earl of Huntingdon; prince John, earl of Lancaster and Derby; with Robert, earl of Leicester; each bearing a sword upright, the scabbard

richly adorned with gold: after them came six earls and barons, bearing a chequered table, on which were laid the royal robes and other regalia: then followed William Mandeville, earl of Albemarle and Essex, bearing a large crown of gold set with precious stones: next came duke Richard himself, with the bishop of Durham on his right hand, and the bishop of Bath on his left, and over him a canopy of state was borne by four barons: and last of all followed a great train of earls, barons, knights, &c. In this order he came into the church, where, before the high altar, laying his hands upon the Evangelists and relics of saints, he took the solemn oath above-recited. Then they put off his garments from his middle upwards, except his shirt, which was open on the shoulders, and put on his shoes, which were of gold tissue, and the archbishop of

While the king was at dinner with his nobles in Westminster hall, after his coronation, an accident happened, which proved very fatal to the Jews then residing in London, and also to numbers of their brethren in different parts of the kingdom. Richard, it seems, either from the aversion he had for that people, or (as appears most probable from the other part of his order) to prevent the confusion arising from a crowd, had caused proclamation to be made, that no Jews nor women should be suffered to appear about the abbey-church or hall of Westminster, during the time of celebrating divine service and performing the ceremony of his coronation. Unfortunately it happened that a number of Jews had repaired to London upon the change of government, to consult with their brethren what present it would be necessary to make to the new king, upon his accession, and in the name of their nation, in order to gain his good graces, and obtain his protection for carrying on their business as traders in the kingdom. Notwithstanding the late proclamation, several of the Hebrews, who had been charged with the money their sect were to offer the king on this occasion, thought themselves, on account of the agreeable errand they were come upon, exempted from the general prohibition, and therefore attended, to the number of an hundred, about the gates of the hall, to watch for the king's coming out, to tender him their present and compliments of congratulation; but the richness of their dress, and the disregard they appeared to shew to the royal mandate, added to the hatred of infidelity, at that time the ruling passion of the public, awakened in the English all the fury of resentment against these enemies of Christ, as they were termed, and the populace, rising in a tumultuous manner, fell upon the poor defenceless Hebrews, of whom they killed several. Their fury gaining strength by the easiness with which they indulged it, they proceeded to murder all the Jews they met with, and, after plundering and pillaging their houses, set them on fire. The tumult became now so general, that Ralph de Glanville, the high-justiciary, was obliged to march into the city to appease it; but his presence proved of little effect, the conflagration and carnage continued till the next morning, when the Christian mob thought proper to disperse, but not till they had sacrificed the lives and effects of some thousands of these their poor unhappy fellow-creatures to their blind and enthusiastic fury.

Richard, who had been acquainted with the intention of the Jews to present him with a free-gift, was so incensed against this unseasonable persecution of them, and the insult offered to his authority by raising a commotion the very day of his inaugu-

ration, that on the morrow he caused several of the ringleaders of the tumult to be arrested, and hanged up, as a terror to others: at the same time he published an edict, strictly forbidding any insult to be offered to the Jews, whom declared to be under his immediate protection.

The soul of Richard was now wholly engrossed with the purpose of making an expedition to the Holy Land in person, and he therefore began to consider how to make preparations suitable to so great an undertaking. He had already seized upon his father's treasures, in the custody of Stephen de Tours, and had also fleeced that officer of a pretty round sum; and the bishop of Ely happening to die much about the same time, without a will, Richard seized on his estate, which was very considerable. Yet these were very weak aids to what he stood in need of, and therefore he made bargains with some of his richest prelates and nobles, for estates and honours to be granted to them, on their paying him the stipulated sums: nay, to such an height did he carry his mean venality, that the great-seal of England was next put up to auction, and purchased by William Longchamp, the first minister, for three thousand pounds; and when Ralph de Glanville, the honest justiciary, expostulated with him on these proceedings, so derogatory to his own dignity and so oppressive to the subject, Richard told him plainly, "that, could he find a buyer, he would sell the city of London itself." This drew from the upright minister some farther remonstrances, which Richard, less patient of admonition than his father had been, resented highly, and, glad of an opportunity to strip this old servant of his well-earned substance, he took from him his post of high-justiciary, and then threw him into prison, from which he could not procure his release till he had paid into the king's coffers fifteen thousand pounds, an immense sum in those days. He was succeeded in his office by Hugh Pudsey, bishop of Durham (who had purchased the earldom of Northumberland of Richard), and William de Mandeville, earl of Essex and Albemarle, the former of whom gave a thousand marks for that employment, and the latter died soon after in Normandy. By these means the king raised a greater sum of money than any of his predecessors had ever possessed. But he had still another expedient in reserve: he obtained a bull from pope Clement, empowering him to excuse from the crusade such as had taken the cross, and were judged necessary to be left at home for the defence of the kingdom; and many of those whose first transports of zeal were now cooled, were glad to pay a considerable sum of money to be absolved from their hasty vow. While he was thus heaping up money, the clergy were zealously labouring to

of Canterbury anointed him in three places, viz. on the head, the arms, and the breast, which unctions signify glory, fortitude, and wisdom: then covering his head with a linen cloth, he set the cap thereon which Geoffrey de Lucy carried; and when he had put on his waistcoat, and on that his dalmatia or upper garment, the archbishop delivered to him the sword of the kingdom, to subdue the enemies of the church: which done, two earls put on his spurs, and he was led, with the royal mantle hung on him, to the altar, where the archbishop charged him, on God's behalf, not to presume to take upon him this dignity, unless he resolved inviolably to keep the vows and oaths he had just then made; to which the king answered, that, by God's grace, he would faithfully perform them all. Then the crown was taken from beside the altar, and given to the archbishop, who set it upon the king's head, delivering the sceptre into his right hand, and the royal rod

into his left. Thus crowned, he was brought back to the throne with the same solemnity as before. Then mass began; and when they came to the offertory, the king was led by the bishops of Durham and Bath to the altar, where he offered a mark of pure gold, as his predecessors were wont to do, and afterwards was brought back to his throne by the same bishops. After mass he was attended, thus royally arrayed, to a chamber adjoining, in like procession as before; whence (after a short repose) he, with the same procession, returned into the choir; and having put off his heavy crown and robes, he went to dinner. At the coronation feast, which was kept in Westminster hall, the citizens of London were his butlers, and those of Winchester served up the meat. The archbishops and bishops sat down with the king, whilst the earls and barons served in the king's palaces, as their places and dignities required. Hoved. Tyrrel, &c.

procure

procure him soldiers; the pulpit resounded with the great merit of serving in the holy war; the confessors enjoined no penances but what tended to promote the grand design of recovering the Holy Land out of the power of the Infidels. By these means the army soon became very numerous, and so much better provided with all things, as there was not an officer or common soldier but what furnished himself with common necessaries, either from his own purse or with the assistance of his friends.

While Richard was thus employed in making preparations for his voyage, Philip, distrusting his fickle nature, with which he was well acquainted, sent over Rotrou, count of Perche, to acquaint him that the king of France and his barons had, in a general council held at Paris, sworn to meet at Vezelay, in Burgundy, by the close of the ensuing Easter, at which time and place Richard and his followers were summoned to attend, that the two kings might set out together on the expedition. Upon this, in the month of November, Richard convoked a parliament at London, in which he gave the fullest assurances to the king and people of France, that the court of England was determined to fulfil all its engagements with regard to the crusade.

As Richard appeared so eager in the pursuit of any means that might procure him ready money to defray the expences of his intended voyage, William, king of Scotland, thought it was his interest to improve this opportunity, and accordingly, in a conference which he had with Richard at Canterbury, he offered him ten thousand marks to deliver up Berwick and Roxburgh and desist from his claim to the sovereignty of Scotland. Richard very readily accepted the offer, gave up the two places, and, by an authentic charter, discharged the king of Scotland, and his successors, from the homage which he had sworn to Henry II. "which (to use the words of the charter, given us at large by Hoveden) had been extorted from the king of Scotland by unprecedented writings and dures."

About this time likewise Richard, to swell the hoard which he afterwards so ridiculously dissipated, squeezed three thousand pounds out of his natural brother Geoffrey, whom he had made archbishop of York, for his lay-fees and an exemption from forest-laws. In short, there is hardly any possibility of enumerating the various expedients he set on foot for heaping up money; I shall therefore content myself with observing, that the gross sum computed to be raised by Richard on this occasion did not amount to less than one million one hundred thousand pounds in ready money and plate, which, at a moderate computation,

may be estimated at seven millions and an half of our money*.

But the desire of accumulating riches did not so much engross the king's mind as to make him inattentive to the dictates of sound policy, in providing for the security of his dominions during his absence. To that end he sent his brother John, with a strong body of forces, against the Welsh, who, upon the death of the late king, had began to infest the English borders, and had actually taken the castles of Tenby, St. Clair, Abercarran, and Llanstephan, and over-run the counties of Pembroke and Caermarthen. Upon the approach of the English army, the invaders retired into their own country, and soon after made peace, and gave hostages for their due observance of the articles†.

There was yet another quarter from which Richard had reason to expect disturbance; this was the differences among his ambitious churchmen, of which we shall see farther in the ecclesiastical period of this history: these, however, he composed to his satisfaction; and on this occasion he gave a shining instance of that independency he was resolved to maintain against the attempts of the papal see; for the pope having sent over a legate to determine a quarrel between the archbishop of Canterbury and the monks of Christ-church, orders were sent from the English court to him, upon his arrival at Dover, to proceed no farther till the matter was determined in the great council of the nation; and a parliament being accordingly convoked, matters were compromised by their authority, without any intervention of the legate, who had the mortification to see his powers on this occasion despised and set aside.

Baldwin, archbishop of Canterbury, having entered an interdict against the marriage of prince John, the king's brother, with Avifa, the heiress of Gloucester, on account of their consanguinity‡, Richard was desirous of having that matter finally adjusted before he left England; accordingly, the affair being brought before this parliament, the prelate was obliged to accept of an appeal to the pope, and withdraw his interdict, upon which John solemnized his nuptials.

Richard's last care was to provide for the administration of the realm in his absence; and in this provision he acted from the dictates of his own caprice, against the advice of the nobility and the sense of the whole nation. The guardianship of the kingdom he conferred on William Longchamp, bishop of Ely, a Frenchman of low extraction, without either credit or authority; and with him joined Hugh Pudsey, bishop of Durham, as justiciary in the northern counties; to the former he committed the custody of the tower of London,

* Among other oppressive and scandalous means used to raise these sums, it was pretended that the great-seal of England was lost: another great-seal was therefore made, and orders were issued for all persons to have their charters or grants renewed under that seal, at a certain expence, otherwise they would be invalid. Richard's undertaker for all this, was the chancellor Longchamp, bishop of Ely, who thereby rivetted himself in his master's affections.

† An eminent free-booter, so well known to after-times by the name of Robin Hood, at this time infested the country of England. He had none of the low pilfering qualities of modern thieves, for we are told that he was the most generous and gentle of all robbers, taking only from the rich, sparing always the poor, never shedding blood, and forbearing all acts of violence to females. His retinue was seldom less than two hundred strong and resolute men; his residence was generally

in the forest of Sherwood; and his principal associate, or lieutenant, was one John (from the figure of his body probably) surnamed the Little. So dissolute was the government of Richard at this time (all regard of public justice, and all attention to public security, being swallowed up by his blind furious passion), that no steps appear to have been taken to crush this audacious robber, whose rapine was open and avowed, and who is said to have been of noble blood; so that there is great room to conjecture, that he paid contributions to the ministry for toleration in his profession.

‡ She is called by Sandford, Isabella, third and youngest daughter and co-heiress of William, earl of Gloucester, son of Robert Consul, natural son of Henry I. by Nesta, daughter of Rees ap Tudor, prince of South Wales; so that Henry I. was great-grand-father to both the parties.

and to the latter the keeping of the castle and forest of Windsor: and Hugh Bardolph, William Marechal, Geoffrey Fitz Piers, and William Briwere were appointed their assistants and counsellors in the exercise of government.

All these necessary precautions being now taken, there remained nothing to detain Richard in England: he therefore embarked at Dover, attended by David, earl of Huntingdon, brother to the king of Scotland (who had been sent by that prince at the head of five thousand men, to assist Richard in his expedition), on the eleventh of December, and landed at Calais on the same day, where he was received by Philip, earl of Flanders, who attended him into Normandy, where he kept his Christmas.

On the thirteenth of January, 1190, Richard and the king of France had an interview together, at Gué St. Remi, in order to adjust every thing necessary for the expedition, and to prevent any dispute when they met at the rendezvous, which had been fixed for the latter end of March, but was afterwards, on account of the indisposition and death of the queen of France, postponed till Midsummer. Here the two princes swore mutually to maintain peace, and defend each others territories; and, in case either of the two should die, during the voyage, the other was to have his men and treasures to carry on the expedition. Richard soon after, at the instigation of Longchamp, sent for his mother Eleanor, Alice of France (sister to king Philip), his brother John, the two archbishops of Canterbury and York, and other English bishops, to come over to Normandy; and made John and his natural brother Geoffrey (archbishop of York) swear that they would not set foot in England for the space of three years, the term that he expected to be absent on the crusade; but soon after, at the intreaties of his mother, he released the former of his obligation, and gave the latter a licence to return thither.

He had, some time before, sent officers to all the ports in his dominions, to pick out a number of ships of the greatest burden, and had equipped a large fleet, well manned, victualled, and supplied with all necessaries for the intended voyage; and he now gave orders for these ships to sail for Marfeilles, there to wait to take him and his land forces on board. On this occasion he took the advice of his prelates and nobility in making several ordinances for preventing quarrels and bloodshed on board the fleet*, appointing proper persons to see them put into execution.

About this time Richard sent his prime minister and favourite, Longchamp (for whom he had obtained of the pope a legatine power), over to England, to prepare farther aids for his expedition, and to interpose for the protection of the Jews, who were now threatened with a general massacre. This he did not so much out of any regard to the sufferings of these poor wretches, as from the apprehension that their great riches might fall into the hands of their persecutors, and he not have the fingering of any part of them. This sufficiently

appeared by the excessive impositions which the government afterwards laid upon the Jews. Longchamp began the first part of his mission by obliging every abbey and manor belonging to the crown, to furnish one palfrey and sumpter-horse, and every city in the kingdom to give double the number, for the use of those engaged in the expedition.

As to what regarded the Jews, the legate found on his arrival that a general thirst after their blood and effects, had seized upon the mad populace of England. At Lynn, their estates and properties had been pillaged, their houses burnt to the ground, and themselves murdered: the like fate these unhappy people had met with at Stamford, Norwich, St. Edmundsbury, and Lincoln; but the greatest persecution exercised against them was at York, on the sixteenth of March of this year, where the rabble had wreaked their more than barbarous fury upon five hundred men besides women and children. These poor wretches, finding themselves in danger from the rising storm, part of which had already fallen upon their brethren in other counties, had prevailed with the governor of the castle to give them refuge against the rage of the mob: hardly were they got within the gates when the high-sheriff came and required them to be delivered up, which the governor refusing to do, the people drew up in a body, and attacked the castle: at length the Jews offered a great sum of money to be permitted to retire with their lives; but enthusiasm, which absorbs every other passion, had taken such possession of the bigotted rabble, that they absolutely refused to give them quarter. Upon this an ancient rabbin proposed the killing themselves rather than to fall into the hands of uncircumcised enemies: this motion was unanimously agreed to, and they put their tragical and desperate resolve in execution in the following manner: every master of a family cut the throats of his wife and children first, then dispatched his servants, and concluded with the slaughter of himself. Is it not strange, that some of our monkish writers should have suffered their preposterous zeal to get so far the better of their understandings, and the common dictates of humanity, as not only to excuse, but even applaud this barbarity, because, say they, it tended to extirpate the enemies of our holy religion? But such are the effects of misguided zeal, that sanctifies inhumanity itself, and dares to suppose that bloodshed and cruelty can be acceptable to a God of mercy and love!

Longchamp made a strict but fruitless enquiry into the authors of the tumult; some few, indeed, were put under arrest, and fined, as having been abettors of this act: a poor satisfaction for the death of so many of their fellow creatures. Let us now turn our eyes from this scene, so shocking to every tender breast, and so disgraceful to humanity, and attend to Richard in his expedition.

The time of rendezvous now drawing near, Richard received the scrip and staff, the usual badges of pilgrims, from the hands of the archbishop of Tours, and advanced to Vezelay, where he was joined by the king of France. Their forces, when

* These regulations were: that if any one killed a man on board, he was to be tied to the corpse and flung into the sea: if any one was convicted to have drawn his dagger or knife to wound another, he was to lose his hand: if any one struck another with his hand, without effusion of blood, he was to be ducked thrice over head and ears in the sea: if any one gave his companion opprobrious language, he was for every

offence to pay him so many ounces of silver: and if a man stole any thing, his head was to be shaved, boiling pitch was to be poured upon it, and feathers stuck into the pitch, that so he might be known; and the first land the ship made, he was to be set on shore. These are the first body of marine laws which we find in the English records; they seem to be a compound of the civil and Saxon institutions.

united, formed an army of no less than one hundred thousand men, at the head of which the two kings set out for Lyons; but finding it impossible to keep such a number together, each took a separate route; Richard marching to Marseilles, and Philip to Genoa.

Richard waited eight days at the first of these places for his fleet, which had been dispersed by a storm, and obliged to put into different ports in Portugal. During his stay here he received advices from England, by which he learned that Hugh de Pudsey, bishop of Durham, whom he had joined in commission with his favourite, Longchamp, had, by that insolent upstart, been arrested, and obliged to purchase his liberty by delivering up the castles of Windsor, Newcastle upon Tyne, the manor of Sadberg, with the county of Northumberland, and to give his own sons, Henry de Pudsey, and Gilbert de la Ley, as hostages for his quiet submission. Hereupon Richard, without expressing any farther resentment against his minion, contented himself with sending orders to him to restore to Pudsey the earldom of Northumberland and the manor of Sadberg, which that prelate continued to enjoy till the king's return from the Holy Land.

Richard, as I have before observed, continued for eight days impatiently expecting the arrival of his fleet; at length, conjecturing in part the cause of its delay, which might be protracted to a greater length of time than he could wait, hired twenty galleys and ten stout vessels, in which he embarked with his retinue, and, after touching at Naples, he continued his course to Messina, where he arrived on the twentieth of September. Here he found the king of France waiting with his fleet, and in a little time he was joined by his own, having left orders behind him for that purpose when he sailed for Marseilles. The Sicilians were struck with admiration at the sight of so great an armament, and Philip could not restrain an emotion of jealousy at seeing the forces of his vassal so much superior to his own; and an opportunity soon offered to mortify the king of England, which Philip took care not to let escape him.

As Richard proposed to pass the winter at Messina, and his sister Joanna, relict of the late king of Sicily, William II. came thither to stay with him, he thought it necessary for his own security to take possession of two strong castles lying on the Faro, or streight's mouth of Messina, one of which he put into the hands of his sister, for the accommodation of herself and retinue, and erected magazines in the other for the keeping of provisions for his army. This step, which, it must be confessed, had something arbitrary in it, gave the Messinese a jealousy that he wanted to make himself master of the island, and therefore they took every opportunity to quarrel with the English; especially on the third of October, when the inhabitants drove these latter out of their town, shut their gates, and lined their walls with soldiers to prevent their re-entry. The English, enraged at this treatment, flew to arms, and would have begun an assault upon the town, had they not, with great difficulty, been restrained by Richard. On the morrow the king of France, with several of his prelates and nobles,

went to the place where Richard had his headquarters, there to hold a conference on the present state of affairs, and, if possible, prevent matters from coming to extremities; but whilst they were busy in consultation, a strong body of the citizens sallied out, in hopes of surprising Richard's person, and in the attempt killed several of his men and horses; and actually fell upon the quarters of Hugh le Brun, one of his commanders. The noise of the tumult reaching the king's ears, he immediately broke off the conference, sprung to his arms, ordered his guards to turn out, and, putting himself at their head, repulsed the citizens, and following them to the gates, attacked the city (into which Philip, who sided with the Messinese, had been admitted) with such resolution, that he entered it in despite of all the opposition made by the inhabitants assisted by the French, and planted the English colours on the bulwarks, not excepting even that part allotted for the French king's quarters. This Philip resented as an high affront and indignity, though he himself was certainly the most culpable, he having assisted in the defence of the place, and slain with his own hand three of the assailants.

Some very warm words passed between the two kings on this occasion; but Richard behaved with great modesty in this affair: he could not but be sensible that his setting up the English ensigns in the French division was a gross insult upon Philip; he therefore immediately gave orders for taking them down, protesting at the same time he had never intended the least affront to the king of France, but had acted in that manner purely to compel Tancred (the king of Sicily) to give him satisfaction for the injury done. To shew his sincerity, he delivered the custody of Messina to the Templars, till the difference between him and Tancred should be decided. This agreement being made, Tancred, who till then remained in Palermo, came to Richard at Messina, and consented to give him all that he demanded. He made a treaty with him, obliging himself to pay the queen-dowager of Sicily, sister of Richard, twenty thousand ounces of gold for her dowry; and as many to Richard, in lieu of certain legacies left by William the Good to Henry II. his father-in-law, and claimed by Richard as his heir*. At the same time, to cement their friendship, a marriage was agreed upon between Richard's nephew, Arthur, duke of Brittany (son of the deceased prince Geoffrey, Henry II's son), and Tancred's daughter: moreover, the king of Sicily promised to fit out ten galleys and six large ships for the service of the crusade. Upon these terms Richard solemnly swore to observe a strict peace and amity with Tancred, and subjected his dominions to the pope's censure in case he violated the treaty in any part. These two princes being thus, in appearance, reconciled, Richard made a present to Tancred of king Arthur's famous sword, to which the Britons had given the name of Caliburn.

Tancred, however satisfied he might outwardly appear with this reconciliation, could not brook a treaty which force alone had compelled him to sign. He would fain have engaged the French king in his quarrel, and made a league with him against

* These consisted in a gold chain, for the use of the queen dowager, agreeable to the custom of the queens of that country: a gold table, twelve feet long, and one foot and a half broad; two golden trellises, or stands, belonging to that table;

and a silken tent, in which an hundred knights might be entertained; and twenty-four silver cups, and the like number of silver dishes.

Richard; but finding that he could not effect his purpose, the cunning Sicilian took another course, which was to blow the flames of discord between the two kings. With that view he gave private insinuations to Richard, that the king of France had ill designs against him; he even produced a letter, which he pretended to have received from Philip, wherein this latter called Richard a traitor, and offered Tancred all his force to assist him, if he would set upon Richard by night, and cut him off with his whole army. Upon this Richard, who was of an open disposition, and could not wear a face foreign to his heart, behaved with great reserve to Philip whenever they met; and the cause of this change being demanded of him by the latter, he frankly told him the story he had heard, and his author. Philip upon this, either conscious of not deserving such a charge, or willing to dissemble, treated the whole as a scheme of Richard's to break with him, and to elude the obligation he had laid himself under of marrying his sister Alice. This begat a very warm altercation between the two monarchs, which came very near to an open rupture; and Philip sent Richard word, that unless he consummated his marriage with Alice, agreeable to his engagements, or should ever marry any other woman during her life, he should ever after become his mortal enemy.

These, however, were engagements which Richard never meant to perform; but he scorned to employ any artifice to cover his intentions. He had never been solemnly affianced to Alice, nor ever expressed the least inclination for the match, except when it served to distress his father, and then he had acted in concert with Philip, who probably never considered the matter in any other light than as a mere political engine. Richard's heart had long been captivated with the charms and merit of the princess Berengera, daughter to Sanchez, king of Navarre, and he had already engaged his mother to make a journey into Guienne, and negotiate a marriage between him and that young lady; and therefore he acted with great openness and generosity, acquainting Philip, in return to his message, that he could not, without incest and dishonour, marry his sister, who was generally supposed to have lived in a criminal correspondence with his father Henry; at the same time he openly avowed his engagements with the princess of Navarre. Philip hereupon, conscious that Richard was not to be diverted from his purpose, and considering his sister's honour might suffer still more if the affair was carried to extremities, desisted from his demand; and, after several conferences, agreed that Richard should have liberty to marry whom he pleased, on condition that he should deliver up Gisors, with all the rest of the young lady's fortune, and likewise pay Philip a subsidy of twenty thousand marks per annum for five years, to which Richard readily consented. After this the two kings agreed to make certain ordinances to be observed by both armies, for the preventing of gaming, clipping of

money, and dearth of provisions, as also for the supply of wholesome victuals, the regulation of markets, and the reduction of immoderate profits in merchandize. They also added other articles, particularly with regard to the share of the goods which the adventurers engaged in the expedition should die possessed of, one half of which was to be put into the hands of the archbishop of Rouen and other commissioners, to be applied in the service of the common cause.

In the mean time Richard, who was perfectly well acquainted with the disposition of the people of Messina (a faithless cruel race, descended from a mixture of Greeks, Lombards, and Saracens), obliged them to pull down their gates, and to deliver hostages for their good behaviour; and, in order to humble their pride, he built a strong castle upon the top of a high mountain that overlooked the city: to this tower he gave the name of *Mête Griffon*, *Griffon Slayer*, in contemptuous allusion to the name of Griffons, bestowed as a term of reproach on the Messinese, on account of their spurious origin*.

In this castle Richard passed his Christmas, and every thing appeared to be on a very good footing between the two kings, who entertained each other with the greatest magnificence; and the most considerable presents were mutually exchanged by them. Nevertheless, Tancred's late information had made so deep an impression on the mind of Richard, and the refusal of this latter to marry the princess Alice, with the aspersions he had cast on her character, had so exasperated Philip, that from thenceforward they were never more friends in reality.

However, they both made preparations in concert for the continuation of their voyage; but queen Eleanor arriving at Messina with the princess Berengera, the last week of March, 1191, Richard determined to make some longer stay in Sicily: upon which Philip, being incessantly importuned by the Christians of Palestine to come to their relief, took leave of Richard, who attended him to the sea-side; and on this occasion, faith Brompton, made him a present of several ships, and distributed large sums of money amongst the French courtiers and officers, from what view is hard to determine.

Queen Eleanor, upon her arrival, gave her son a full account of the state of affairs in England, by which he found that he had placed too great power in the hands of his minion Longchamp, who exercised his authority with as absolute a sway as if he had been not only a real king but even a despotic emperor. He affected to appear in public with more than regal state; and so great was his retinue whenever, in quality of justiciary or chancellor, he made a progress through the kingdom, that we are informed by an historian of those times, that when he lodged but one night in a monastery, he consumed three years revenue. In short, the laity found him more than a king, and the clergy greater than a pope. Add to this, that he was a

* Soon after, there happened a trifling incident, which strongly marks the impetuosity of Richard's temper. One day, as he rode out to take the air, attended by a great number of French and English knights, a man with an ass laden with canes chancing to pass, he distributed these among the company, and they began to tilt in the Moorish manner. In the course of this diversion, one William de Barre, a knight of great courage and dexterity, whom Richard had formerly taken in a skirmish near Mante, happened to tear the king's coat, and Richard, provoked at William's presumption, ran at him

with great fury, but, instead of unhorsing his antagonist, his own saddle gave way, and he came to the ground; a circumstance that inflamed his resentment to such a degree, that he ordered de Barre never to appear in his presence again. De Barre was reckoned one of the best knights in France; and, at the intercession of Philip and the French nobility, he was permitted to proceed on the expedition, during which he distinguished himself so much by his valour and good conduct, that he effectually recovered the favour of the English monarch.

Norman, and very partial to foreigners; qualities which alone were sufficient to make him odious to the English. He behaved towards all degrees of people, even the nobility themselves, with the most insulting arrogance; and even prince John was treated by him with such indignity, that he was obliged to apply to his brother for redress. His letters, with those of several other great men of the kingdom, whom this insolent upstart had insulted and injured, together with the remonstrances of the queen-mother, so effectually opened Richard's eyes, that he sent over the archbishop of Rouen and William Marechal, earl of Striguel, whom he constituted joint-justices with Geoffrey Fitz Peter, Hugh Bardolph, William Breuere, and Longchamp, by charter; at the same time expressly restricting this latter from acting any thing without their advice. He farther added, that if the said chancellor should, either in matters of revenue or public justice, assume to himself any power independent of those noblemen, and persist therein, that they should then act without him, and their proceedings should be valid.

When the bishop and the earl arrived in England, they found Longchamp so confirmed in his power there, that they did not dare to deliver to him the king's commission, but imparted it at first only to prince John, by all cotemporary writers styled earl of Mortaigne (which honour had, among many others, been conferred on him by his brother Richard at his leaving the realm) and to the nobility in his interest, who, having the king's charter on their side, resolved to lay hold of the first opportunity to humble the pride of the overgrown prelate. It was not long before one offered to their mind; for one Gerard de Camville, having bought of Richard the government of the castle of Lincoln and of the country adjoining, Longchamp, who made no scruple of turning out every one whom he did not like from their posts or commands, particularly such as held the custody of castles, ordered Camville to resign his to him; which the latter refusing to do, the chancellor raised forces and laid siege to the castle, just at the time that the archbishop and the earl arrived in England. Hereupon earl John sent him orders to desist, at the same time publishing to all the nation the import of the king's new commission. This was such a thunder-stroke to Longchamp, that, finding his heart fail him, he consented to an accommodation, which was effected on conditions very humiliating to the chancellor.

Nevertheless, the weight of interest which Longchamp had acquired with the military men of the nation, many of whom had, with a more than servile meanness, courted an alliance with his nieces and relations, like himself sprung from the dregs of the people, still buoyed up his fortunes, till his own unbounded ambition and overbearing arrogance put the finishing stroke to his authority.

Some time before the king had set out on his expedition to the Holy Land, Geoffrey, his natural brother, had been elected into the see of York; but upon finding that Richard had filled the deanery, treasurership, and some other dignities in the church of York, Geoffrey absolutely refused to admit those promotions to be valid, without his consent and approbation first obtained; upon which a great quarrel had arisen between him and the king: besides, Geoffrey had refused to be conse-

crated by Baldwin, archbishop of Canterbury, and make him profession of canonical obedience. This, and some other subjects of altercation between the two brothers, had exasperated Richard against the bishop-elect: at length, Geoffrey, finding his brother's affections could not be obtained without money, he promised him three thousand pounds, and was then put in possession of the temporalities of the archbishopric; but the king insisted that he should not appeal to the pope to get his election confirmed, which Geoffrey promised. Richard also, as the reader may remember, had exacted an oath from him that he would not set his foot in England during the king's absence in Palestine: but queen Eleanor, when she carried over the princess of Navarre to her son at Messina, had obtained of him his consent to the consecration of Geoffrey, for which he accordingly transmitted the royal licence by the archbishop of Rouen, when he sent him into England with his new commission of regency. Geoffrey, in consequence of this, got himself consecrated by the archbishop of Tours, in France; and pretending that the king, by consenting to his consecration, did in fact dispense with his oath of absence from the realm, he now prepared to return to England, and take possession of his dignity. Upon this Longchamp sent an order to forbid his coming over, on account of the oath he had taken; but as this order was not backed by any of the other members of the regency, Geoffrey considered it only as the act of a private person and his enemy, and landed at Dover in the month of September. His arrival was no sooner notified to Longchamp, than he sent down to put the archbishop under arrest: but Geoffrey, having changed his dress, mounted a swift horse, and got to the monastery of St. Martin, in Canterbury, where he took sanctuary in the church, thinking himself safe there from all insults. This precaution, however, stood him in no stead, for the persons sent to execute the regent's orders, followed him even to the very altar, from whence they dragged him, in his pontifical robes (which he had now put on) through the dirty streets, and delivered him in custody to Matthew de Clare, constable of Dover castle (who had married Longchamp's sister), and he was instantly thrown into prison like the meanest plebeian criminal.

This treatment of a brother of their sovereign, and an archbishop, universally beloved and esteemed, raised a general clamour among all degrees of people throughout the kingdom. The clergy in particular took the alarm: Hugh, bishop of Lincoln, excommunicated all concerned in this sacrilegious violence; a sentence which was soon after confirmed by all the bishops, in a convocation held at Reading, and those of London, Coventry, and Norwich, threatened to lay the kingdom under an interdict if Geoffrey was not immediately released. Earl John, who had now gotten the chancellor to the very point where he wished to have him, sent to make the same demand: and the chancellor, seeing the whole kingdom in commotion, was obliged to allow Geoffrey to come first to London, and then to Reading, where John had summoned an assembly of the prelates and nobility of the realm, on the fifth of October, and where those who had been joined with the chancellor in the regency were present. There the king's charter, appointing the new regency, with orders for

Geoffrey to assist in the council of state, were publicly read; and the archbishop of Rouen proposing that the chancellor should, for acting without the advice and consent of his colleagues in the regency, be turned out of the government according to the tenor of the king's letters, which he produced, it was resolved to summon Longchamp, who was then at Windsor, to attend the council the next day, October 8, near Ladbridge, between that place and Reading. The chancellor promised to meet them at the place of conference: and had he done so, it is probable that, out of regard to the king, whose favourite he was, he had been still left in the due exercise of his power, with the concurrence of those joined with him in the administration; but when he had advanced two miles on his way thither, with a numerous armed retinue, his heart failed him, and turning back to Windsor, he fled thence in all haste to London, where he shut himself up in the Tower, which he fortified with a deep ditch (remaining at this day), into which he had drawn the water of the river Thames; however, not having time to supply it with provisions for himself and garrison before it was invested by the nobility and citizens of London, he tried first to gain over prince John by great promises; but finding that method ineffectual, he was constrained to submit to the sentence of the prelates and nobility. He appeared before them the next day; when, after a full hearing, he was deprived of his posts of chancellor and justiciary, and of all the castles the custody of which he had usurped since the king's departure, leaving him only those of Dover, Cambridge, and Hereford, which he had enjoyed before.

The great-seal was now given to Walter, archbishop of Rouen, a person of great prudence, modesty, and integrity, and who used his advancement to the general satisfaction, acting always with the advice of his colleagues in all the business of the government; and by his wise management restored peace and tranquility to the kingdom.

As for the bishop of Ely, finding himself forsaken in his fall by all those who had basked in the sunshine of his greatness, and knowing the general aversion of the people to him, he retired to Dover castle, from whence he attempted to make his escape beyond sea in a woman's dress; but being discovered by his awkward figure and his ignorance of the English language, after being severely handled by the enraged populace, he was committed to prison till earl John's farther pleasure should be known*.

However, earl John, fearing the pope's resentment if he detained his legate in prison, and, moreover, desirous to have him out of the kingdom, sent orders to set him at liberty; upon which he crossed over to Normandy, where he was received as an excommunicated person, all divine service ceasing wheresoever he passed. At the instant of his departure he wreaked his malice and resentment in the only manner left in his power, by laying his own see of Ely under an interdict. Finding no refuge in Normandy, he went to Paris, from

whence he sent letters, representing the state of his case to the king and the pope. But it is now time to return to Richard.

In a few days after Philip failed, queen Eleanor resigned her charge of the princess of Navarre to Richard, who placed her with his sister, the queen-dowager of Sicily, who was to accompany him in his voyage; and Eleanor, taking her leave of him, returned for France by the way of Rome.

Every thing being now ready for Richard's departure, he demolished the fort of Mâle Griffon, and set sail from Messina, on the tenth of April, with one hundred and fifty large ships and fifty-three galleys.

The fleet had not been above two days out of the harbour, when it was overtaken by a storm, in which part of the ships was cast away, and Roger, the king's vice-chancellor, with several knights and attendants, were drowned. Richard himself was obliged to put into the isle of Crete, from whence he passed to Rhodes, where he received advice of three of his largest ships being stranded on the isle of Cyprus, and that the people who had escaped on shore were stripped and imprisoned by Isaac, the tyrant or emperor of Cyprus, who would not suffer the ship which had the queen of Sicily and princess Berengera on board, to enter the harbour. Richard, enraged at this treatment of his people, and still more at the cruel insult offered to his sister and betrothed queen, hastened with his fleet to their assistance, and found them lying at an anchor off the port, in the greatest distress. He instantly sent a message to the tyrant on shore, demanding the release of his people with all their effects; but instead of a compliance, he received only an insolent answer; which so exasperated him, that, without farther delay, he debarked his forces, attacked and defeated Isaac and his Cyprians, and, making himself master of the town, brought his ships into the harbour; after which the emperor himself submitted at discretion. On Sunday, May 12, Richard was married to Berengera, whose coronation was performed the same day at Limisso (the capital of the island), by John, bishop of Evreux, assisted by the bishops of Apamea and Auch, and the bishop of Bayonne. During his stay in the island arrived Guy of Lusignan, who had obtained his liberty by surrendering the city of Ascalon to the sultan; Geoffrey, his brother; Raymond of Antioch; Bohemond, his son; and other princes and lords of Palestine, attended the dispossessed king, who was come to implore Richard's protection. Here Guy de Lusignan did homage to the king of England for his lands in Normandy.

Richard finding that his presence would be necessary for some time longer, in order to settle his new conquest upon a sure footing, he sent off his sister and queen before him, with the best part of his fleet and forces, for Palestine. The reduction of Cyprus was a matter of great consequence to the Christians employed in the siege of Acon, as they might from thence easily be supplied with provisions, from the want whereof they had suffered greatly, while it was in the hands of the late emperor; Richard therefore spared no precaution

* As he was sitting on a rock, waiting for a boat, with an ell in his hand and a parcel of linen, a sailor came up and offered to kiss him; but proceeding to farther indecencies, he soon discovered his mistake, and therefore marched off without troubling his head any more about the matter. Soon after, some women passing by, began to cheapen his linen; but, un-

luckily, Longchamp, who was a Frenchman, not understanding English, could make them no answer. Upon this they pulled up the hood which covered his face, and, observing his black beard, called out to the populace, who immediately seized him, and treated him with great indignity. Hoved. p. 400.

that he thought necessary to keep the Cyprians in obedience to him. For this purpose, among other indulgences, he confirmed to them all the privileges and customs formerly granted to the inhabitants of that island by the emperors of Constantinople; and that the imprisoned Isaac might not raise any disturbances by his presence in the place, he sent him, in silver chains, to Tripoli, in Syria, to be there kept in close confinement.

Having thus regulated the affairs of Cyprus, he entrusted the government of it to Richard de Camville and Robert de Turnham, and set sail for Palestine. In his passage he fell in with a very large ship, belonging to Saladine, having on board provisions and ammunition for the garrison of Acon, and a reinforcement of fifteen hundred men. This ship he took and destroyed; and then continuing his voyage, he appeared on Saturday, June 8, off Acon, to the unutterable joy of the Christian army, and the terror of the besieged, who hearing of the loss of their great ship, despaired of receiving further relief.

The siege had languished for some time, but the king of England's arrival giving spirit to the army of the besiegers, it was now pushed with great vigour. Richard's courage, liberality, and magnificence, which he displayed on an hundred occasions, captivated the hearts of all the soldiers; and so loud was the general voice in his praise, that the king of France sickened at the sound, and could not, without the most inveterate jealousy, behold the triumphs of Richard's glory and merit. Accordingly he sought every opportunity of thwarting and mortifying him; and, notwithstanding that the latter had, with great generosity, shared with him the booty and prisoners taken in the Saracen ship, yet Philip was not contented, but laid claim to one half of Cyprus, and the riches there acquired, agreeable, he said, to the convention made in Sicily, by which the two kings agreed to share equally in all captures made upon the Infidels. To this demand Richard, with great temper, replied, that although it was evident that agreement related only to what should be taken in Palestine, yet he was willing to share with him the island of Cyprus, on condition that Philip would act in the same manner towards him, with regard to the dominions and effects of the count of Flanders and of the castellan of St. Omers, who had both died before the walls of Acon, and whose treasures and effects Philip had seized. The king of France hereupon retracted his demand, and they renewed their convention about acquisitions in the Holy Land, appointing the Knights Templars and Hospitallers to arbitrate the partition whenever an occasion offered.

By this time the besieged were reduced to great extremity, and Saladine, finding it impossible to raise the siege, allowed them to surrender upon the best terms they could procure, which, according to Hoveden, were as follow:

I. That Acon should be delivered up safe, with five hundred Christian captives that were therein.

II. That the true cross of Christ, which had been before taken by Saladine, should be restored.

III. That of all the Christian captives whom Saladine had taken, three thousand, to be chosen by the two kings, should be delivered.

IV. That the Turks should carry nothing out of the garrison with them, but their wearing apparel.

V. That, for the redemption of their heads, they should pay two hundred thousand byzantines, and that they should remain in custody till the payment of the sum, in default of which they were to be at the mercy of the conqueror*.

Upon these terms the town was delivered up, when each prince had a separate quarter allowed him for his possession; and, among others, Leopold, duke of Austria, ordered his banner to be reared on the quarter allotted to him: Richard, resenting that a prince of a new-raised house should assume the badges of sovereignty, ordered his men to pull down the duke's standard, and trample it under foot. Leopold resented this affront very heinously (the latter part of the action is doubtless inexcusable); but as it was not in his power to be revenged, concealed his resentment till he had opportunity to shew it. Unhappily for Richard, this opportunity offered when he was least prepared for it; and we shall find in the sequel, that the duke of Austria was but too fully revenged.

The taking of Acon encouraged the two kings to extend their views and form fresh projects, and it was resolved to wrest the city of Jerusalem out of the hands of the Infidels: but just as the army expected orders to march, in order to put this design in execution, a dissention, which arose between the two leaders, frustrated their expectations. This new misunderstanding happened on account of the dispute between Guy de Lusignan and Conrade, marquis of Montferrat, relating to the crown of Jerusalem, in which Richard took part with the former, and Philip espoused the cause of the latter. The dispute was, in fact, about an empty title, for Saladine was master of the capital, and of almost all the country; but, however, the title was of consequence at a juncture when it was expected this kingdom would be recovered by the arms of the crusaders. At length it was agreed, that Guy should enjoy the crown of Jerusalem during his life, and that Conrade should succeed him. But heart-burnings still continued between the two monarchs: Philip was jealous of Richard's glory, who, in his turn, complained that Philip, out of spite and envy, obstructed the progress of the arms of the confederates.

Philip had been extremely desirous of returning home ever since the death of the count of Flanders, in order to take possession of that country, and probably (if we may judge by his subsequent proceedings) with a view of invading Normandy during Richard's absence. He therefore laid hold of every opportunity to make himself as disagreeable to Richard as possible; but finding that the king of England made every personal consideration give way to his ardour for completing the joint under-

* It happened afterwards that Saladine, thinking the garrison had made concessions they had no power to grant, started some difficulty in ratifying the articles of the capitulation; upon which Richard pitched his camp without the town, in sight of the enemy, and threatened, unless Saladine would instantly perform the articles agreed on, that he would put to death all the Saracen captives who had fallen into his hands. It was in vain for

Saladine to think of diverting this barbarous resolution by rich presents and entreaties, for Richard, with a cruelty that must strike every humane person with horror, put to death, according to his own account, six hundred of his prisoners; which reduced Saladine to the necessity of making the like barbarous reprisals.

taking, and being ashamed or afraid to avow his real motives, he had recourse to artifice: he pretended that the climate of Asia did not agree with him, and therefore entreated Richard to consent to his departure, for both kings had, before their leaving Europe, bound themselves by a mutual oath, that neither of them should abandon the expedition without the other's consent. Richard at first refused his compliance in absolute terms, and the rest of the confederate princes insisted upon Philip's staying until the crusade should be completely finished, who therefore dropped his suit for a few days; but then he renewed his entreaties in so earnest a manner, that the king of England, despairing of altering his disposition, or making in him a colleague such as he wished, and perhaps actuated with a desire of reaping the glorious harvest of success all in his own person, consented to his departure, but not till he had first exacted from him the most solemn oath, in the presence of all the great men of both nations, that he would not attempt any thing to the detriment of his English dominions, or of those on the continent; but that on the contrary he would, to the utmost of his power, agreeable to the convention between them, protect and defend those dominions against all the attempts of any enemy, foreign or domestic: to all which Philip, with a truly Gallic time-serving compliance, readily agreed, without the least intention of performing his promise, as the sequel evidently proved.

Having thus obtained leave to depart, he next applied to Richard for two of the best English ships to transport himself and his retinue, which that prince with great readiness granted; and then, leaving the duke of Burgundy to command his army in his stead, Philip set sail from Acon on the thirty-first of July. He left public orders with the duke of Burgundy to pay the same obedience to the king of England as to himself; but, in all likelihood, he gave him other instructions privately, as Mezerai (a French historian) seems to acknowledge, when he says, that Richard would have made the conquest of Jerusalem, if the duke of Burgundy had not, out of jealousy, thrown insurmountable obstacles in the way.

Philip seems to have lost all remembrance of the solemn oath he had so lately made to Richard, with the very breath that formed it; for taking Italy in his way home, he there complained to the pope, that he had been obliged to desert his part of the engagement relating to the crusade on account of Richard's intolerable arrogance, with whom he pretended it impracticable to act as a colleague; and therefore intreated the pontiff to absolve him, as well from his original oath as from that he had lately taken, in order to withdraw his connections from the king of England; at the same time giving the strongest intimations, that immediately on his return home he would take the most effectual methods to be revenged on that haughty monarch. The pope, who, agreeable to the constant conduct of his predecessors, wished to keep a good correspondence with the French kings, readily complied with the first part of his demand, but at the same time had the honesty, or, if you please, the good policy, to discountenance his intention of invading the dominions of Richard, and even threatened him with excommunication in case he took any step of that kind; a menace to which

Philip shewed as little regard as he had done to his oath.

The defection of the king of France drew after it that of a multitude of those who had at first engaged in the crusade, so that Richard in a little time found himself left in a manner alone to sustain the whole burthen and difficulties of the expedition; but his fondness for this enterprise, and that martial spirit which seems to have been his prevailing passion, made him resolve to brave all obstacles in the pursuit of his favourite project, and to do something worthy the name of the chief of the Christian armies. With this view he made a general assault upon Saladin's camp; but the Infidels made so noble a resistance, that Richard was obliged to desist from his enterprise, after suffering a considerable loss. But, not discouraged by this check, he determined to march from Acon to Joppa, and to fortify all the places which should fall into his hands. Saladin upon advice of this, posted himself in the way with no less than three hundred thousand men, in order to fall upon the Christians in their march, hoping by that means to gain a second advantage over them.

Whatever disproportion there might be between their forces, Richard resolved to attack him: he was sensible, that if he could defeat that army, it would be a great means of facilitating his reduction of Jerusalem; whereas, if he declined the fight, the numerous army of the Infidels would continually obstruct the execution of his designs. Having taken this resolution, he approached the enemy, and, with undaunted courage, offered them battle. The particulars of this engagement we have accurately given us by Vinisau, to the following purport.

The right wing of the Christian army was commanded by James de Avesnes, the duke of Burgundy commanded the left, and the king in person headed the centre or main body. Saladin had concealed part of his troops to the right, behind some hills, which, for the present, covered them from the view of the Christians: on this corps de reserve he fixed his principal hopes of victory, and therefore, without altering his position, he waited the attack of the enemy, who began the fight with their right wing, whose charge the Saracens received with a resolution which, supported by the superiority of their number, put that body in such a disorder that could not be repaired in a considerable time; James de Avesnes, who led it on, was slain in endeavouring to reanimate his affrighted troops and bring them again to the charge. At the same time the duke of Burgundy furiously attacked the right wing of the Saracens, which, pursuant to the general's orders, retreating as they fought, caused the duke to advance, with more courage than conduct, a good way beyond the body of the army. Saladin, finding all in good order on his left, and that the duke of Burgundy, with his left wing, was detached from the rest of the army, ordered the body that lay concealed to move forward: these troops descending the hills in great multitudes, surrounded the wing commanded by the duke, and made a terrible slaughter.

It now lay with Richard to save the honour of the Christians, and repair their loss. He had fought on his side with better success; and though he had met with a stout resistance in the body that opposed him, had compelled them to retreat in disorder.

He



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To the
Hon. Secy of the
Treasury

*Despreaux taken by the Saracens for Richard y first,
and brought before Saladine.*



*To his Grace
Duke of
This Plate's most*



*Geo. Beauchamp,
St. Albans
humbly Inscribed.*

He was still pursuing the foe when he was informed of the ill state of his right wing and the danger of his left; upon which he gave over the pursuit, and, marching to the duke of Burgundy's assistance, fell upon the victorious troops of Saladine with such impetuosity that he soon wrested from them a victory of which they thought themselves sure. On this occasion the king of England performed the most astonishing acts of valour; and those who before envied him most, could not now refrain from admiring him: some tell us he was personally engaged with Saladine, and, dismounting him, would have taken that illustrious chieftain prisoner, had not the Saracens used all their efforts to rescue him out of his hands. Be this as it will, thus much is certain, that Richard's valour so changed the face of the battle, that Saladine saw himself obliged to reinforce his right wing with part of the victorious troops of the left. This motion, which could not be made without causing some disorder, gave the right wing of the Christians time to recover themselves, and finding the opposition they had before met with grow weaker and weaker, they quickly rallied, and falling furiously on the Saracen troops that opposed them, forced them at length to take to flight.

Mean while Richard maintained the fight on the left with an intrepidity more than mortal, in spite of the superiority of the enemy, who now directed their whole strength against him. He was, however, in danger of being overpowered by numbers, had not his right wing, meeting with no farther resistance, marched up in time to his aid. The Saracens, finding themselves attacked in flank by a fresh body of troops, began to give way; nor could Saladine, with all his efforts, bring them to rally. The Christians, taking advantage of their disorder, pressed them so vigorously, that they fell into a general rout. Thus Richard, by his own valour and conduct, obtained a complete victory over this prodigious army of Infidels, of whom forty thousand were left dead on the field of battle: James de Avesnes was the only officer of distinction that was slain on the side of the Christians*.

After this important victory, Richard continued his march to the maritime cities of Ascalon, Cæsarea, and Joppa, which Saladine thought fit to abandon, after demolishing their fortifications. Richard made some stay at Joppa, in order to fortify that place, and then he began his march towards Jerusalem†, which he had determined to recover out of the hands of the Saracens; and in his way

he again defeated Saladine, on the plains of Rama, and might even have made himself master of that city, had he not listened to the advice of the Knights Templars, who, being in the interest of Philip of France, persuaded the king of England to postpone the attempt, and march towards Ascalon, which place he did not reach, however, till the middle of January, 1192, when, upon reviewing his forces, he had the mortification to find them greatly decreased, by the wetness of the season, and the general spirit of desertion which prevailed among the harrassed troops. During his stay here he repaired the walls of Ascalon, which had been dismantled by the Infidels.

Richard now found his difficulties redoubled, through the perfidy of the duke of Burgundy and the marquis Conrade. The French, instead of co-operating with the English, retired to places of safety, and passed their time in luxury and indolence; Conrade refused to join him with his forces; continual quarrels were arising between the other commanders; and Richard saw himself left in a manner alone and exposed in an enemy's country. His first care, therefore, was to call a council to deliberate on the state of affairs, when it was the unanimous opinion of the assembly, that no effectual service could be performed against the Saracens, until the dispute between Guy de Lusignan and Conrade should be adjusted; and that could not be done by any other means than Conrade's elevation to the throne of Jerusalem: this was therefore resolved upon, and Richard indemnified Guy for the loss of a nominal kingdom, by a present of substantial royalty, for he bestowed upon him the kingdom of Cyprus, though he had sold it before to the Templars: but, upon the repeated complaints of the Cyprians, to whom the tyranny of their new masters was insupportable, Richard thought he had a right to revoke the sale. How far this act was consistent with justice, is needless now to examine; suffice it to observe, the crown of Cyprus was enjoyed by Guy and his descendants till the year 1472, when it was sold by the widow of the last male issue of his line, to the republic of Venice.

Conrade, overjoyed at having thus gained his point, was making preparations to sail from Tyre, where he then lay with his fleet, to join the army of the allies, when he was stabbed in the streets of that city, by two assassins, sent for that purpose by a Saracen prince, commonly called the Sheic‡ or Old Man of the Mountains. As the author of this murder

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ing with Richard, left him to have a share in the taking of Despreaux, whom they imagined to be the king. This device gave Richard time to ride off full speed, whilst the Saracens, content with their success, conducted their prisoner to Saladine. Despreaux had the prudence not to discover himself till he came before the sultan, to whom he ingenuously confessed what he had done to save his master. Saladine commended his fidelity, and did him great honour; but, as he was very sensible Richard would never suffer one that had done him so signal a service to remain long a captive, he set his ransom so high, that he got ten emirs, or Saracen princes, in exchange for that faithful servant. Brompt. p. 1250.

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murder was at first unknown, Richard, because he was no friend to the marquis, was greatly suspected of having caused his death; but the marquis himself was so far from entertaining any such thought, that, just as he died, he ordered his wife to deliver into the hands of the king of England the city of Tyre, of which he was in possession: besides, the sheic himself gave the most convincing proof of Richard's innocence, by a letter which he wrote to the duke of Austria on this head, when Richard was under confinement in Germany, and which will not be improperly introduced here, as it serves at once to vindicate the character of Richard, and to shew the openness and sincerity of the sheic, and his determined resolution to be revenged.

"To LEOPOLD, Duke of Austria, the Ancient of the Mountains wisheth health.

"Since many kings and princes beyond seas blame Richard, king of England, concerning the death of the marquis of Montferrat, I swear by the eternal God, and by the law which we hold, that Richard is no way to blame in this respect, and that the death of that marquis happened as follows.

"One of our brotherhood was coming in a ship from Salteleia to our territories, and happened to be forced into Tyre by a storm; upon this the marquis ordered him to be taken and put to death, and then he seized all his money. Thereupon we sent our ambassadors to the marquis, with orders to demand the money of our brother, and satisfaction for his death, which he laid upon Reginald the prince of Sidon; whereas we had informed ourselves, by friends whom we could trust, that the marquis himself had ordered the murder to be committed, and the money to be taken away.

"We therefore sent another ambassador, called Eurisius; and him he was going to throw into the sea, but our friends hurrying him out of Tyre, he came back to us in all haste, and told us how he had been treated. We, from that hour, determined to kill the marquis; and we sent two of our brethren for that purpose to Tyre, who killed him openly, almost in the sight of all the people of that city.

"Such were our motives for the death of the marquis; and we assure you, with great truth, that Richard, king of England, was no way blameable with regard to the death of that marquis; and they who, on that account, have done harm to Richard, do it without justice and without reason.

"Be assured that we kill no man in this world for reward, or for money, unless he first injure us.

"And know, that these our letters are dated from our house in the castle of Messiat, about the middle of September, in the fifth year of pope Alexander."

The death of the marquis of Montferrat proved a fresh obstruction to the progress of the crusaders; but his widow soon after being married to Henry, count of Champagne, nephew to Richard, that nobleman was, in her right, declared king of Jeru-

salem. He persuaded the French to march to the assistance of Richard, who in the mean time had reduced the fortress of Darien, in the plains of Palestine. Richard, thus reinforced, marched to Jerusalem, which he had resolved to besiege. In his way he had the good fortune to meet the Babylon caravan, carrying to Jerusalem a vast quantity of merchandize, and provisions of all kinds: the caravan was escorted by ten thousand horse, who, finding themselves near the Christian army, would immediately have retreated; but Richard, taking with him five thousand horsemen, fell upon them with great fury, and, putting them to flight, made himself master of the whole caravan, consisting of three thousand loaded camels and four thousand mules, carrying an immense booty, all which he ordered to be distributed among his soldiers.

After this successful exploit, continuing his march to Jerusalem, he came to an hill, from whence he had the pleasure of viewing that famous city, the taking of which was the chief end of his expedition; but having called a council to consider of the most effectual means for insuring the success of their enterprize, it was, after mature deliberation, resolved, that, on account of the great scarcity at that time in the country, and the difficulty the army would consequently be under in being supplied with provisions, the siege should be deferred till the succeeding spring; and the duke of Burgundy, between whom and Richard there now prevailed a great misunderstanding, drew off his troops and marched to Tyre. He was soon followed by the duke of Austria; both those chiefs not being able to bear the thoughts of contributing any longer to the glory of a prince whom they considered as the rival of the French king. Matthew Paris does not scruple to say, that the duke of Burgundy was bribed by Saladine to act in this treacherous manner.

The retreat of the Germans and French left no hopes for future conquests; the English troops were greatly exhausted by fatigues and engagements; and Saladine still continued hovering on the mountains with a numerous army, ready to fall upon the maritime places as soon as Richard should evacuate them. In this situation of affairs, Richard, suffering his great spirit to stoop to the service of the public cause, sent to solicit the duke of Burgundy to rejoin him with his troops; and that his request might have the greater weight, he sent no less illustrious a messenger than the king of Jerusalem himself: but all proved insufficient, the dastardly or treacherous Frenchman returning for answer, that he could not hazard the troops of his sovereign in such a desperate service; but his real intent, by thus withholding his assistance, was to reduce the king of England to the last distress, whose great valour and good fortune in the field had long been the object of his envy, and that of his master Philip. Richard therefore, finding that he could no longer hope for any succours from his allies, and well knowing himself unable to keep the field against the Infidels, who were now strongly reinforced, and having moreover received expresses from England which made his presence absolutely

venge the injuries he should sustain. He always kept a band of desperate enthusiasts, who were ever ready to execute his injunctions, even at the risk of their lives, being fully convinced, that should they die in the execution of his orders, they would enjoy immortal pleasures in a future state. These

he dispatched occasionally to murder those princes who had done him wrong; and they hardly ever failed of attaining their end; so that all the potentates of that part of Asia were afraid of giving offence to the lord of the mountain.

necessary

necessary in that country, he took the resolution, fore against his will, of abandoning the enterprize for this season, and re-embark the remains of his exhausted troops. For this purpose he turned back, and began to move towards the port of Acon, where his fleet attended him; but he was hardly arrived in the neighbourhood of that place, when he heard that Saladine had fallen upon the city of Joppa, of which he had made himself master, and was pressing the siege of the castle with so much fury, that it could not long hold out: Richard, upon receiving this news, ordered his forces to march by land, while he himself sailed round with a handful of men, and raised the siege by the terror of his name, and by a series of the most daring exploits, in which he exposed himself to the most imminent danger.

In order to take off from the reader's surprize at such extraordinary feats of arms performed by a few against such a superiority of numbers, it will be necessary to point out to his observation, that the more mortal weapons and way of fighting were not then in use in Europe, and that those exploits which would appear ridiculous and romantic to be related since the discovery of fire-arms, were then the result of superior bodily strength and vigour, and the being able to wield that great weight of armour which repelled both swords, spears, and missiles. In this the Christians had greatly the advantage of the Saracens, who were but simply armed for defence.

The relief of Joppa, though it added considerably to Richard's stock of military fame, was attended with no other consequences that could warrant his persisting to keep the field; he therefore thought it most adviseable to seize this opportunity of concluding peace with Saladine for three years, on the following conditions, viz.

First, That Ascalon should be demolished, and not repaired or fortified by either party during the truce; yet that the Christians might have liberty to repair and keep possession of Joppa, as also of all the other places then in their hands, without molestation from the Saracens.

Secondly, That the Christians should have free liberty to go on pilgrimage to the Holy Sepulchre, without paying any tax or impost, and should likewise be permitted to trade throughout all Saladine's dominions.

These articles being ratified and confirmed, Richard returned to Acon, where he met with fresh alarms from England, which determined him to pass thither before the whole of his fleet could be in readiness to sail. Accordingly he went on board a large vessel, which was bound for the isle of Corfu, on the ninth of October, 1192. From thence he set sail for Ragusa, intending to travel through Germany incog. not chusing to trust himself in the dominions of France, or in those of the count of Thoulouse. This very precaution, however, proved his ruin; for, in his progress, he was discovered, in a village near Vienna, by some officers belonging to Leopold, duke of Austria*, who, glad of this opportunity to revenge an affront which he had sustained from Richard at Acon†, ordered

him to be arrested and loaded with shackles, to the disgrace of honour and humanity, and the eternal infamy of his own name.

The news of Richard's detention reaching the ear of the emperor Henry VI. (surnamed the Fowler) he demanded the royal captive of the duke of Austria, who delivered him up, on condition of having a large share in his ransom. Thus Richard, whose fame filled the whole earth, and whose glorious actions had raised his reputation above those of all the crowned heads of his time, lost his liberty by treachery, and saw himself in the power of the most fordid and ungenerous of men and princes; where we shall for a while leave him, to attend to the affairs of England.

The first use Longchamp, the late insolent chancellor, made of the permission given him to retire peaceably out of the kingdom‡, was to incense the pope, by his misrepresentations, against the clergy and people of England, whom he represented as a rebellious generation, ready to trample under foot the spiritual authority of the see of Rome; and that their proceedings against him were only meant as a prelude to attempts of a higher nature against the pontifical dignity. Celestine III. who then filled the papal chair, giving credit to the information of this turbulent and lying spirit, not only renewed his legation, which had expired on the death of the late pope, but also furnished him with letters to the bishops of England, ordering them to excommunicate John, earl of Mortaigne, and all that were concerned in the privation of the chancellor.

Longchamp no sooner received those letters than he forwarded them over to Hugh, bishop of Lincoln, with orders to put them in execution; but the people of England had now shaken off great part of that religious torpor which had so long benumbed their rational faculties; they began to distinguish between fanaticism and a reasonable submission to the orders of the church; they stood up firm in defence of their constitution; they strengthened the hands of that government, from which alone they could expect protection in their valuable rights and privileges, and there was not found throughout the land a bigot bold enough to carry the papal decree into execution: on the contrary, the justiciaries seized all the rents of the see of Ely till the bishop should make satisfaction to the king for two years of the royal revenue, which he, while chancellor, had embezzled.

The association of the noblemen against this seditious prelate was virtuous in its principles, and honest in its ends: but it was headed by one who had very little regard either to virtue or honour when they stood in the way of his own interest; I mean earl John, who now began to give strong proofs of his disloyalty and ambition; for when, in consequence of the deposition of Longchamp, the regent, he found himself in possession of a greater share of the government than was ever intended him, he made use of this increase of credit and influence to pave his way to the crown, in case the king his brother should die during his foreign expedition. He was sensible that there then existed

* Having travelled some time with his attendants like so many pilgrims, with their hair and beards grown to a great length, he dismissed them all, and taking horse with one servant, came to this village, where sending out his man to buy provisions, he was known by one belonging to the duke of Au-

stria, and being seized, was forced by torture to tell where the king was, who was taken while he was asleep, harrassed and fatigued with his journey. Hoved. Mat. Paris.

† See p. 303.

‡ See p. 302.

an insuperable bar to these pretensions in the person of Arthur, duke of Brittany, son to his elder brother Geoffrey; it was therefore absolutely necessary for him to take all such measures as were most likely to weaken the party of this competitor, and to strengthen his own. For this purpose he omitted nothing that he thought most probable to conciliate the affections of the English, particularly the Londoners, whose favour he courted by every act of popularity he could devise, loading them with benefits, in particular that of confirming, by a general assembly, their charter of privileges. These steps had the desired end; the citizens of London became so warm in his cause, that they even took an eventual oath of fidelity to him, in prejudice to young Arthur, in case Richard should die before his return from Palestine. But the public spirit of those who had no other view than the safety and honour of their prince and his kingdom, proved a greater obstacle in his way than he at first imagined. His designs were seen through, and the patriotic few came to a resolution to invite over queen Eleanor, that, by her influence in the nation, she might counteract the dangerous machinations of this growing colossus, and, by her presence, give sanction to the wholesome proceedings of the royal party. Eleanor accordingly came over; and, after her arrival, the justiciaries called another meeting of the states, when it was resolved to renew their oath of fidelity to Richard against all pretenders whatever to the crown of England.

We must now turn our eyes upon Philip, king of France, and see in what manner he behaved after his deserting the common cause of the Christian princes in Palestine, and returning to his own dominions.

Philip's true motive for returning home was, as I have already observed, in order to take possession of the county of Flanders, upon the death of its earl; and likewise to take the advantage of Richard's absence to invade that prince's Norman dominions; but, in order to conceal these treacherous views as much as possible, he had misrepresented Richard's conduct in the most shameful manner to the pope, as he passed through Italy, and had cast the whole blame of the difficulties the crusaders lay under in completing their enterprize, upon the arrogance and obstinacy of Richard.

Philip, after his arrival in his dominions, perceiving the embarrassed state of affairs in England, resolved to take advantage of Richard's untoward situation. For that purpose he began by inviting William Fitz Ralph, seneschal of Normandy, and the prelates and nobility of that duchy to a conference, between Trie and Gisors, where, according to Hoveden, he demanded that his sister Alice, who was then kept in the castle of Rouen, should be delivered up, together with Gisors and other territories, pretending that Richard had, by the treaty of Messina*, agreed to these cessions. The Norman noblemen were, not without reason, surprized at this demand, and very justly refused to comply with it, as not having received any orders from their sovereign for that purpose. Hereupon Philip threatened to take away his sister, as also to seize upon the places in question, by force; but as he rose in insolence, the loyal Normans grew more firm in their resolutions, and at length pleaded the VIIth article of the treaty sworn to by both

kings before they entered upon the expedition, and by which the party who should attack the dominions of the other, during his absence in the Holy Land, was to suffer excommunication. Philip, however, whom no religious ties, either real or imaginary, could restrain from the purposes of ambition and revenge, set them at defiance, and instantly set about raising a powerful army to assert his claims by open force. In this design, however, he found himself equally obstructed by his own subjects, who, either through some remains of honour, which their sovereign seems entirely to have lost, or from the dread of excommunication hanging upon their hearts, refused to support him in his iniquitous project. On the other hand, the Normans made preparations for a vigorous defence, in case the French king should attack them. We will now return to earl John.

That prince, finding all his ambitious projects defeated by the firmness of the English government, had now recourse to other measures; and with the most shameless inconsistency of conduct, after having mingled in the cry, and led the pursuit that hunted the late chancellor from every covert of authority and power, he now sent to recal him, whom he had driven out of the kingdom, that, joining their interests together, they might more effectually distress the administration that so bravely stood up in the defence of their independency and that of the people, of whose liberties they were the guardians.

Longchamp, glad of so powerful a protector, accordingly returned to England, and, upon landing at Dover, sent messengers to the queen-mother to notify his arrival, and the legatine powers he was furnished with from the pope. Hereupon a council of the prelates and nobles assembled, in which it was unanimously agreed to send the chancellor word, that if he did not immediately quit the kingdom, he should be immediately proceeded against as a traitor. He therefore thought proper to withdraw.

Towards the end of the year 1192, the news of Richard's imprisonment arriving in England, it caused a general consternation. Queen Eleanor, his mother, immediately took all possible care to prevent this accident from occasioning any fatal revolution; while John hailed it with joy, as the most certain earnest of success in the designs he had formed, and as an opportunity to be cherished and improved with the utmost care. He now threw himself into the arms of the king of France, his brother's sworn foe: he promised to do him homage for the dukedom of Normandy, of which Philip was to assist him in the taking possession; and also that he would marry Alice, the French princess, that monarch's sister. This convention was entered into in the beginning of the following year, 1193; when John, after having in vain attempted to debauch the Normans from their allegiance to Richard, went over to the court of France, where he gave himself up entirely to the guidance of Philip.

Having ratified and confirmed all the articles which he had entered into with that monarch, he returned again to England, in order to prosecute his rebellious project, while Philip prepared to invade Normandy. John, when he came to London, finding that the justices had taken such wise pre-

* See p. 300.

*H. Richard the first Seiz'd by Order of the Duke of Austria
on his Return from the Holy Land.*



*To the R^t Hon^{ble}
Earl of
This Plate is most*



*Basil Fielding,
Denbigh
humbly Inscribed.*

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cautions as to render all his attempts fruitless, sent over to the king of France to send forces to his support, and at the same time endeavoured to seize some of the most important sea-ports for their reception. These, with some other steps of the same nature and tendency, were sufficient to warrant the government's proceeding against him as a rebel. An army was raised by the royal party, with which they besieged and took Windsor castle, one of the earl's strong fortresses; while Geoffrey, archbishop of York, Hugh Bardolph, and William de Stotewille, with another body of forces raised the militia of Yorkshire, and fortified Doncaster, to prevent any attempt of earl John upon that part of the country: in a word, they proceeded with so much vigour and unanimity, that John, finding himself unable to oppose them with any hopes of success, was glad to agree to a truce, and, during the cessation of hostilities, retired into France.

Whilst these things passed in England, Philip was not idle on his side. He raised a powerful army, and fell with such rapidity and fury upon Richard's French possessions, that in a short time he made himself master of Gisors, Neuffle, Neufchatel, and Albemarle, with a great many other forts in Normandy; and, that he might at once finish the conquest of that duchy, he marched and laid siege to Rouen, which he summoned to surrender, threatening to put all the inhabitants to the sword, if they attempted to oppose his arms. But the brave earl of Leicester, who had lately returned from Palestine, where he had nobly distinguished himself, undertook the defence of the place; and the citizens, inspired by his presence, resolved to hold out to the last extremity: they proved as good as their words, they fought with undaunted courage, they made a great number of vigorous and successful sallies, and at length obliged the gasconading monarch to retire inglorious from before the gates; but in his retreat he took the two important castles of Ivry and Pacy*. Shortly after, the Normans proposed a truce, which was granted them on condition of paying a large sum of money and delivering four castles into the hands of Philip, as a security for their peaceable behaviour. The Norman nobility were induced to take this step, from the prospect of Richard's speedy release from his captivity, whose arrival they thought might give a new face to affairs; and the readiness which Philip shewed to comply with their request, was chiefly owing to the disposition in which he found the pope towards him at this time, who, incensed at his perfidious conduct, had threatened to lay all France under an interdict, if her king did not immediately withdraw his troops out of Normandy.

During this cessation of hostilities, both in England and Normandy, Hubert Waller, bishop of Salisbury, arrived here with letters of recommendation from the king to the see of Canterbury, vacant by the death of archbishop Baldwin in the Holy Land, in consequence of which he was, by the unanimous suffrages of the bishop and monks, elected archbishop of Canterbury. At the same time this prelate was commissioned by Richard to consult with the regency in relation to raising the

money necessary for his ransom, which had been fixed in the diet of Spire at one hundred and fifty thousand marks of silver, two-thirds to be paid down, and hostages to be given for the remainder. The regency no sooner received the king's letter on this head, than, laying aside every other concern, they immediately entered upon ways and means of raising the stipulated sum.

This was done by scutage, hidage, and contribution. The former was raised at the rate of twenty shillings upon the greater knights fees, and twelve shillings and six pence upon those of an inferior kind. The hidage, or taillage, was paid by the cities, boroughs, and manors, belonging to the crown, or in the king's hands by escheat, according to a regular assessment made by the itinerant justices. Very great sums were raised also by the voluntary contributions of the people, who seemed to vie with each other in testifying their zeal for the release of their sovereign. Hoveden says, that all, as well clergy as laity, gave one fourth part, and some clergymen even the tenth of their revenue this year, besides part of their moveable goods; and the churches and monasteries melted down their plate: the same was done in the king's foreign dominions. The government also borrowed one year's wool of the Cistercian monks, and the religious of Sempringham. The queen-dowager passed her word for the restoring the church-plate after the king's return, which was accordingly done.

The money, as it was raised, was deposited in the hands of the archbishop of Canterbury, the bishop of London, William, earl of Arundel, Hamelin, earl of Warren, and the mayor of London. On this occasion William, king of Scots, paid two thousand marks towards the king's ransom; an instance of fidelity which was ever after gratefully remembered by Richard, and adds greatly to the honour of the Scottish prince.

The money being all raised, and the time for the first payment approaching, the queen, accompanied by Walter, archbishop of Rouen, set out for Germany, leaving Hubert, archbishop of Canterbury, as guardian of the realm.

In the mean time, Philip of France, hearing of the negotiations for Richard's enlargement, was under great anxiety, rightly conjecturing that this event would totally overturn the whole fabric his ambition had planned, and which had its principal foundation in the absence of the king of England from his own dominions, and his inability to exert that valour and skill, which had been so often the terror and admiration of his foes. In this conjuncture, therefore, Philip had recourse to every art that he thought most likely to obstruct the treaty. Little regardful of the nature of the means, he was solicitous only to gain his point: he proposed an interview with the emperor at Vaucouleurs, where he offered to marry the daughter of Henry's uncle, the count Palatine, and to give the former a sum equal to what was stipulated for Richard's release, if he would detain that monarch only one year longer.

Henry, whose soul was as mean and sordid as the proposer of so iniquitous a scheme could wish

* We learn from the most creditable historians, that Philip owed the conquests he had made in Normandy, less to the vigour of his arms than to the base arts of bribery and corruption. Gilbert de Vascueil, governor of Gisors, delivered that

important fortress into his hands for a stipulated sum; and the counties of Eu and Albemarle were reduced by the like inglorious arts. Hoved. Hemingford. Neubrigens.

to act upon, would readily have embraced an offer which carried with it a prospect of so great gain and advantage; nay, he found means to throw several obstacles in the way, that put off the signing the treaty for above three months, and Richard's friends began almost to despair of seeing him at liberty; when the princes of the empire, commiserating his case, and detesting the prevaricating and treacherous conduct of their head, told Henry that they could not, in honour to themselves, suffer the Germanic body to be stained with the imputation of violating treaties, and detaining prisoner, without cause, the person of a great king, and one in particular who had so nobly ventured his life in the defence of Christianity; that they themselves had pledged their honours for the due performance of the late convention in regard to Richard's release, at the same time giving the emperor plainly to understand that he should not break it with impunity.

Whether Henry stood in fear of their threats, or shame made some impression on his mind, he at length consented to set his royal captive free. Accordingly, two thirds of the ransom being paid, and hostages delivered for the security of the rest, Richard was released, on the fourth of February, 1194, in presence of the archbishops of Mentz and Cologne, the duke of Austria, and most of the German nobility.

Richard, during his confinement, had found means to form a very considerable party among the princes of the empire, and had even inspired them with such a jealousy of Philip's growing power, that they resolved to form a strong counterpoise by favouring the cause of the king of England. A very powerful confederacy was accordingly entered into, and, what is most extraordinary, it had for its head the emperor himself, at the very time he was bargaining with Philip for the detention of Richard: it is therefore probable that he was partly forced into a compliance with the views of the other princes of the empire. Be that as it might, we find that at the same time Richard was set free, a letter was signed and sealed by the emperor and the princes of the empire, both lay and ecclesiastic, requiring the king of France and earl John to deliver to Richard all the places they had taken from him during his captivity, and threatening them to invade their dominions with the joint forces of the empire in favour of Richard, in case they refused to comply with the just requisition contained in those letters.

William of Newburgh and Brompton inform us of a circumstance, which clearly proves that the emperor was forced into all those measures in favour of Richard; for, notwithstanding he had given him a safe-conduct to Antwerp, he had no sooner left the imperial court than orders were sent to stop him at the port of Swyne, where he proposed to embark for England; but Richard, having got intelligence of this perfidious design, immediately went on board, and, putting to sea with a favourable wind, arrived in safety at Sandwich, on the thirteenth of March, 1194, after an absence of four years, fifteen months of which he had passed in confinement.

Richard was received by his subjects with such demonstrations of joy and affection as made him forget

all the disgraces he had suffered during his captivity. His first care was to discharge a vow he had made, to offer to God the rich standard of Cyprus, in St. Edmund's church: which done, he marched to reduce some castles still in the hands of John's adherents, of which Nottingham castle only held out a siege, and that but for a few days, and then surrendered at discretion.

His next step was to call a parliament at Nottingham, in order to settle the state of the nation. Here he demanded judgment against John, earl of Mortaigne, and Hugh Nouant, bishop of Coventry, one of his abettors. They were both cited to appear within forty days, and answer the accusations exhibited against them: John, not appearing, was attainted of high-treason; and it was adjudged, that the bishop of Coventry should, in his sacerdotal capacity, be tried by the bishops; and in his lay quality, as sheriff, by the king's court.

It was in this parliament that a tax of two shillings was laid upon every plough-land throughout England. This tax is by some authors called carucage and temantale, but in the Pipe Rolls of the Exchequer it is termed hidage.

On the second of April, which was the day of the session, Richard declared his intention of being crowned anew at Westminster, on the seventeenth of the same month, and the assembly was then prorogued to that time and place. There this ceremony was performed, with great magnificence, by Hubert archbishop of Canterbury, William, king of Scotland, assisting thereat, and carrying the sword of state (as earl of Huntingdon) before the king. This mark of deference, and his virtue in resisting all the temptations thrown in his way by Philip and earl John, with his constant attachment to Richard during his captivity, entirely gained him the affection of that prince, who gave him all possible marks of his friendship. Indeed, he did not think fit to comply with all his demands, which were very high, and not to be complied with in the then necessitous state of the nation, as they contained no less than a cession in his favour of all Northumberland, Cumberland, Westmoreland, and Lancashire, with the confirmation of the rank, and all the privileges which had been formerly due or granted to any of his predecessors, kings of Scotland. However, to soften, in some measure, this refusal, Richard granted him a charter of certain honours and privileges, to be enjoyed by the kings of Scotland whenever they came into England*.

Some of our authors have been fond of making this coronation as an expedient of Richard's to wipe out the stain of his captivity, and to fix it as a new epocha, or commencement of his reign, thereby to remove all scruples from the minds of his subjects; but Richard appears to have had another end in view, namely, the great work of re-assuming the crown-revenues, and annulling the sales and contracts he had made before his departure for the Holy Land. This he did under various pretences, all of them more justifiable than true: he alleged, that the purchasers had already indemnified themselves by the profits of the estates which had been sold to them; that he had been compelled to make those bargains by the necessities of the state; that they were greatly to the

* They were to be conducted by the sheriffs of every county from Berwick to the court, and allowed an hundred shillings per diem during the journey, and thirty whilst they remained

here, and also twelve loaves of fine bread, twelve of the king's fervinet (or cakes of fine flour), with four gallons of the best wine, eight of the ordinary, &c. See Acta Pub. vol. i. p. 71.

detriment of the crown; adding, that where it should appear the purchasers had not reaped sufficient advantages, he would make it up to them. In fine, no one offered to dispute the justice of this resumption: Hugh, bishop of Durham, offered to resign the earldom of Northumberland; Godfrey, bishop of Winton, surrendered the sheriffalty of Hampshire, the castle of Winchester, and the two manors he had purchased before the crusade; and their example was followed by all the other purchasers and patentees. At the same time Richard offered the king of Scotland the county of Northumberland (reserving to himself the possession of its castles) for fifteen thousand marks, but this William wisely refused.

The great point of the resumptions being now in a fair way to be settled to Richard's satisfaction, he next laboured to effect a reconciliation between two powerful subjects, whose variance gave him great uneasiness: these were Longchamp, bishop of Ely, and Geoffrey, archbishop of York, Richard's natural brother. This was at length brought about, but not till Longchamp had first declared upon oath, that he neither commanded nor desired that the archbishop should be imprisoned*.

Richard now went on fleecing his subjects of their money by the most rigorous exactions; but of all the demands of the court none was of a more extraordinary nature than that made upon the Cistercian order, who were required to grant another year's wool for the necessities of the state†. Other very considerable sums were drawn from York and other cities, under the notion of a congratulatory present to the king on his return.

The sums Richard thus amassed were, however, but barely sufficient to enable him to make head against the king of France, who had by this time again invaded Normandy, and laid siege to Vernueil. Richard hearing this, resolved to visit his foreign dominions, and oppose the French arms‡.

Accordingly, on the twelfth of May, 1194, he embarked, together with the queen-mother, at Portsmouth, with a strong body of forces in a fleet of one hundred large ships, and, after a quick

passage, landed safely at Barfleur. From thence he proceeded to the palace of Bures, near Bayeux, where, the next morning, to his great surprize, his brother John appeared before him, and casting himself at his feet, made an ample confession of his crimes and misdemeanors, and humbly sued to be restored again to his favour, with the most solemn promises of never more deviating from his duty and allegiance. Richard, heartily glad to find his brother detached from Philip's party, did not want much entreaty to receive him into favour, and the queen-mother interposing her good offices, a reconciliation accordingly took place; but John had no part of his estate restored to him till the ensuing year, when he had back the counties of Mortaigne and Gloucester, with the honour of Eye, and an annuity of eight thousand Anjouvin livres in lieu of his other possessions.

Having now only Philip to encounter as an enemy, Richard lost no time in advancing to the relief of Vernueil, which had been some time beleaguered by the French king, to whom he resolved to give battle, and compel him to raise the siege. But Philip, however expert he might be in the more insidious arts of politics, had nothing of that noble manly courage necessary to support his projects in the face of an enemy. Richard's military skill and prowess were not unknown to him, nor could he be ignorant that the repeated injuries he had done that monarch during his captivity, must have whetted his valour to a degree of desperation: these considerations determined him to provide for his safety at any rate, and therefore, upon the king of England's approach, he stole from his camp in the night, and fled with great precipitation. Richard, however, got notice of his retreat time enough to pursue him with his army for several miles, which he did with great slaughter of the French troops; after which he entered the city in triumph, which he had saved when on the point of surrendering.

Here he staid so long only as was necessary to repair the fortifications, and put the place again in a posture of defence, and then marched to raise

* See page 301.

† The reason for levying this uncommon tax, and the manner in which the king proposed it to the Cistercians, is thus related by Hemingford: "Rex five pro liberandis obsidibus apud imperatorem relictis; five etiam in sumptus belli cum rege Francorum gerendi, tributum minus usitatum universo regno, a singulis scilicet carrucatis terræ, indifferenter geminatum solidum exigens, vacantibus clericorum, religiosorum, & quorumlibet aliorum privilegiis. Abbatibus & Cistercensis ordinis, qui coram eo præsentibus fuerunt, sic congratulando dixit: Devotionem, inquit, vestram & liberalitatem circa nos, qua potissimum substantiæ vestræ, id est, vellera ovium vestrarum redemptioni nostræ impendistis, ut dignum est approbamus, & uberiores gratiam suo tempore rependere cogitamus: ut autem vobis perpetuæ sumus gratiæ debitores oportet ut adhuc semel vestrum ad vos declarantes affectum, lanam vestram, anni præsentis, nobis non gravemini commodare. Nam cum imperatore dimissi in summa paupertate ad propria tenderemus, confisi de vobis, urgente necessitate, lanæ vestræ pretium a transmarinis mercatoribus sumpsimus, quod procul dubio ad scaccarium nostrum mense Octobri reddemus vobis cum gratiarum actione. Hoc modo religiosos illos, quasi blandiendo spolians, clarissimis monasteriis egestatem incertam irrogavit." Hemingford. cap. lxxii.

Which we shall now offer the English reader in his own language.

"The king at this time levied a most extraordinary tax throughout the kingdom, namely, a tax of two shillings on every plough-land, without exempting the clergy or any other degrees of persons, whatever might be their privileges. This he did either to release the hostages he had left in Germany, or to carry on his war with France. Having assembled, among other bodies, the monks and abbots of the Cistercian order,

he addressed himself to them in the following insinuating speech: "The generous and affectionate attachment which you shewed towards us (said he) during the days of our captivity, by freely granting the best part of your substance, namely, a year's wool, towards raising the money for procuring our liberation, as it proved highly pleasing to us, so we have determined to reward you for it in an ample manner as soon as the exigences of the times will permit. But if you would bind us to you in perpetual acknowledgement, you will now confirm the proofs you have already given us of your loyalty and zeal, by granting us, without murmuring, all your wool of the present year. For be it known to you, that when we left the emperor's court, after our ransom being paid, we found ourselves in great straits for money, inasmuch that we were not able to proceed on our return homewards without raising a supply. In this exigence, trusting in your approved affections, we took up a sum of money of some foreign merchants, equal to the value of one year of your wool. Be assured that you shall receive full and faithful payment for it at our Exchequer, some time in October next; and, in the interim, we shall hold ourselves bounden to you in all grateful acknowledgements." Thus (adds our author) did the king pick the pockets of these monks with fine words, who, being obliged to comply with his demand, were reduced to the most pinching necessity."

‡ Brompton says, that news was brought him of the siege of Vernueil as he sat at table, whereupon, in great fury, he swore he would not turn his face till he came up with the enemy. To keep his oath, he caused part of the wall of the room to be pulled down, and going through the opening, marched directly with his forces to the sea-side, and there embarked for Normandy.

the siege of Montmirail, which was invested by the Anjouins and the inhabitants of Maine, Richard's own subjects, whom Philip had debauched from their allegiance. In his way, he made himself master of Tours; but before he arrived at Montmirail, he received advice that the rebels had taken it by storm, and razed the fortifications to the ground: he therefore altered his route, and marched to reinforce a body of Brabanders, who were employed in the siege of Loches, one of the towns delivered to France by the last treaty with Philip. His arrival inspired the besiegers with such vigour, that the town and garrison quickly surrendered at discretion.

The king of France now proposed a conference, and the place was fixed; but while the English commissaries waited for the French deputies, Philip took the castle of Fontaines, near Rouen, and in his retreat surprized the earl of Leicester in the neighbourhood of Gournay: he afterwards burned the town of Evreux, and then directed his march to Fretteval. In this place Richard determined to attack him, and for that purpose advanced as far as Vendôme; but the French king, not daring to stand the shock, retired in great confusion, so that he was overtaken and routed with a prodigious slaughter by Richard, and narrowly escaped with his life. All his baggage and treasure, his great-seal and portable chapel, were taken, together with the military-chest, which contained all the pay for his army: but, what was a treasure infinitely more valuable to Richard at this juncture, because a more irreparable loss to Philip, was the seizure of all the French records, archives, treaties, and, in short, all the papers which could give Richard any light into the revenues, alliances, and œconomy of the French king and court*, with all the original letters and conventions formed between Philip and John, during Richard's captivity, and the rebellious barons who espoused their cause†.

The king, after the victory of Vendôme, marched with incredible expedition into Guienne, against the count of Angoulême and Geoffrey de Rancun, lord of Pons, who had taken up arms in favour of Philip; and in the space of sixteen days Richard reduced Chateaufort, Angoulême, Montignac, la Chaize, Mofillac, Taillebourg, and all their castles, making three hundred knights and forty thousand common soldiers prisoners. These rapid successes forced those noblemen to a submission, and made Philip glad once more to propose a truce, which was accordingly concluded on the twenty-third of July, 1194, at a place between Vernueil and Tiliers, under the sanction of the pope's legate, and was to continue till the feast of All Saints, in the year following: Philip would fain have had it for three years; but Richard, though he wanted an intermission of a very expensive war, to recruit his

treasures and forces, did not chuse to leave his enemy so long in possession of several places in Normandy, every thing by this treaty being to remain, for the term agreed, in its present state, and none of the forts to be repaired, nor any new ones built, by either party during the armistice, excepting only the castles of Newburg, Driencourt, Conches, and Breteuil, which Richard was permitted to fortify.

In this interval of war, which, however, proved much shorter than was either proposed or wished, Richard thought proper to provide against all events, by examining into the state of his revenue, which he had reason to think had been much neglected or embezzled during his absence in the East, and the troubles raised in England by his brother John.

The justices-itinerant, who went their circuits in September, were ordered to enquire, by the verdict of twelve men, into the management of the demises of the crown, the lands of wards, escheats, and forfeitures; as also into the wealth of the Jews, which afforded the government a sure supply in any exigence. They were obliged, on pain of forfeiture and imprisonment, to deliver true inventories of their estates, and a minute schedule of all their powers, bonds, and securities were ordered to be lodged in a public office, in order to prevent their frauds, and exorbitant usury.

The same scrutiny was carried on by the king in all his foreign dominions; and finding that the officers of his revenue in Anjou and Maine had been guilty of great mismanagement and unjust exactions upon the people, he punished them for their corruption with very heavy fines. And the bishop of Ely, who had stood so high in the royal favour, being now proved to have had a principal share in concluding the truce with the king of France during Richard's captivity, by which four strong fortresses had been put into the hands of the enemy, he was deprived of the office of chancellor (to which he had been restored by the king on his return to England); and a new seal being made, all charters were renewed, the fees arising from which amounted to a very large sum, and seemed to be the principal end intended by this proceeding. On this occasion the pope, who had withstood all the remonstrances of the prelates and nobility of England against Longchamp, was no sooner informed of his being in disgrace with his sovereign, than he stripped him of his legatine authority, and conferred it upon Hubert, archbishop of Canterbury, appointing him his legate over all the realm, notwithstanding the exemption granted to the see of York by his predecessor.

About this time Leopold, duke of Austria, had the misfortune to fall from his horse, as he was taking the diversion of a tournament, on St. Stephen's day, attended by his knights, who had resorted to his court to keep his Christmas, and frac-

* Hemingford authenticates this narrative in the following words: "Cognito regem Ricardum in civitate esse [rex Francorum] confestim de nocte recessit. Mane vero facto, rex Anglorum abeuntem exercitum persecutus regis fugientis plaustra, & clitellas cum quibusdam arcanis, & gaza multiplici, variaque suppellectili comprehendit." Hemingford. Chron. cap. lxxiii.

† The French historians themselves deplore this loss as irretrievable, and inform us, that it had hitherto been a custom in France for the chancellors to keep authentic copies of all the deeds, conventions, grants, and patents that passed the seals of his office. These registers the kings were wont to carry along with them to the field, either for the immediate decision of such disputes as might occasionally arise, or in order

to reward those subjects who distinguished themselves by their bravery and courage, without interfering with any former patents. But all their papers being now destroyed, every one possessed of any grant or patent from the crown, was obliged to produce the original, and a more secure method was contrived for keeping the records of the kingdom, which have ever since been carefully preserved. Mezeray. P. Daniel. Droits du Roy, par Dupuy, p. 1005.

It is not improbable that this accident suggested the hint to the English monarch, of pursuing the same plan in his kingdom: at least it is certain, that, except the Book of Domestday, and the Red Book of the Exchequer, we have no authentic records before the reign of Richard I.

tured his leg in so dreadful a manner as to render an instant amputation necessary for the immediate preservation of his life; but as surgical operations, especially those of the capital kind, were very little understood, even by the best practitioners of those times, the treatment that he received, rather than the accident itself, made the wound fatal. Before his death he began to feel a remorse of conscience for his unjust and inhospitable treatment of the king of England; and desirous, above all things, to make every possible concession and satisfaction for his faults, he ordered, by his last will, that the English hostages should be set at liberty, and the remainder of the money due for Richard's ransom remitted. His successor, however, was too covetous to obey these directions willingly; and it was not till the clergy of his principality had absolutely refused to inhume the remains of his deceased father till his will should be fulfilled, that the young duke could be brought to comply.

Richard kept his Christmas this year at Rouen, in Normandy; but, far from passing that season of festivity and indolence in the customary manner, he was busied in making every necessary preparation against the renewal of hostilities between him and the French king, which he well knew would be delayed no longer than till the other was in a condition to return to the field. His intentions were not a little quickened about the beginning of the ensuing year, 1195, by the arrival of ambassadors from the emperor Henry, in consequence of a scheme he had formed and imparted to Richard, during his confinement, and which tended not only to the restraining the exorbitant power of France, of which most of the potentates in Europe began to be jealous, but also to reunite under his sway all the countries which formerly held of the western empire; but knowing that it would be in vain for him to hope to execute so arduous a project alone, had endeavoured to engage Richard in his interest by an offer of the kingdom of Provence and the countries about the Rhine. It was to renew these offers that the imperial ambassadors now came to the English court; and in order to convince Richard of the sincerity of their master's intentions, they were commissioned to present him with a crown of gold in the emperor's name, as a token at once of affection and of his possession of the feudal rights to the kingdoms yet to be conquered.

Richard, though glad of such an opportunity to humble the pride of his rival, Philip, had yet sufficiently experienced Henry's fickle disposition, not to place an entire confidence in his messages; moreover, the proposals now made were of too important a nature for him to venture to decide without the advice of his council. Accordingly the plan of negotiation was laid before an assembly of the nobles and prelates, convened for that purpose, when the council seemed no way averse to accept of the emperor's offers; but it was resolved, in order to remove all likelihood of being imposed upon, that a proper person should be sent to sound the emperor himself with regard to his real intentions. The choice of this person being, out of respect, left to the king, Richard immediately nominated his favourite, Longchamp, bishop of Ely, who, though he had been removed from all his posts in order to please the people, still retained the confidence of his royal master. He was accordingly dispatched forthwith to the imperial

court with the proper credentials and instructions.

The actions of great princes are, of all others, the least able to be concealed; so fared it on this occasion. The negotiation in question had not been conducted so secretly but that Philip got intelligence of it, and determined, if possible, to frustrate it, by seizing upon the person of the bishop of Ely, whom he knew must pass through some part of his dominions; but Longchamp escaping the snare, Philip, in a transport of rage, sent a messenger to Richard to accuse him, in the severest terms, with his infidelity, in having broken the truce by entering into a negotiation, during its continuance, with the emperor, his mortal foe; and concluding with a romantic challenge to Richard, to decide the difference between them by the sword, which Richard very prudently declined.

Both parties being now worked up to an excess of hatred and animosity, took the field, breathing nothing but revenge. Accordingly hostilities went on with more than brutal cruelty; and the two princes seemed to vie with each other who should render himself the most dreadful scourge to such of his fellow-creatures as came within the circle of his conquests. Richard fell with a great army into the dominions of France; but Philip, not being strong enough to face him in the field, resolved to distress his Norman dominions, where he demolished several castles which he had taken in the beginning of the war, and withdrew the garrisons he had left there, with which he reinforced his army.

Vaudreuil was on the point of being levelled with the ground, when Richard, alarmed for the safety of his continental possessions, marched to its relief. In the mean time Richard's ministry, sensible that the warlike disposition of their master would carry him such lengths as might in the end utterly impoverish both his English and Norman subjects, were incessantly labouring to procure an interview between their king and Philip; at length they succeeded so far as to bring them together, near the castle of Vaudreuil, but, during the conference, an accident happened, which entirely disconcerted the pacific views of the barons; for Philip having given orders for the demolition of the fortifications of this place, the engineers were actually at work upon them when the two kings met, and in the midst of their discourse a great part of the walls fell down with a horrible noise; thereupon Richard, starting up in a great fury, upbraided Philip with a treacherous design upon his person (which, however, does not seem to have been the fact), and putting himself immediately at the head of his army, he fell upon the French with such fury, that, unable to stand the shock, they retreated beyond the Seine, but in so much hurry and confusion that Philip was very near being drowned in passing a bridge which broke under him and the number of those who followed. Several French knights were taken in Vaudreuil, which now surrendered to the king of England, who from thence advancing into the heart of France, committed the most terrible depredations in the open country.

The English nobles being disappointed in their project, soon found another, for the accommodation of the two powers. Alphonso, king of Castile, having been routed and besieged in Toledo,

by a prodigious army of Moors, which threatened to over-run all Spain, applied for immediate succours in his distress at the courts both of Philip and Richard: hereupon a new treaty was set on foot, and a scheme of peace between the two crowns was drawn up, the conditions of which were, that Eleanor, the princess of Brittany, should be married to Lewis, son and heir to Philip: that Richard should, in consideration of that alliance, renounce all his pretensions upon Gisors, Neaufle, and Beaumont: that he should give up all he held in the Norman Vexin, with Vernon, Josis, and Paci: the king of France, on his part, was to yield up to Richard certain castles and lands which he pretended belonged to the earldom of Angoulesme, together with the earldoms of Aumale, or Albemarle, and Eu, with Arques and several other fortresses taken by the French since the commencement of the war. But as Richard did not yet know the emperor's resolution, and as it behoved him to manage a prince, who had in his custody several of his hostages, and with whom, indeed, he was even negotiating at that time matters of a direct opposite tendency to this treaty, the conclusion of it was deferred till the octave* of All Saints; but with such expectation of its then taking effect, that the princess Alice was now delivered to her brother Philip, after a long and melancholy abode, or rather captivity, in England and Normandy, and was, soon after her release, married by her brother to the count of Ponthieu.

The two kings came, on the eighth of November, to the neighbourhood of the place appointed for their meeting, near Vernuëil; but Philip, by an artifice (in which the archbishop of Rheims was his instrument, to tell Richard he came too early, and to keep him from being on the spot at the precise hour fixed), eluded the conference, apparently for no other reason but that his troops might the more securely, during the king of England's absence, have an opportunity to ravage another part of Normandy, which they actually did, and, on the tenth of November, burnt the town of Dieppe (which Richard had lately rebuilt) together with all the ships that lay in the harbour.

The war was now renewed, but did not prove of long continuance, for the mercenaries in Richard's pay having gained several advantages over the French, and taken the count of Auvergne prisoner in Yffadune, Philip hastened thither to lay siege to the place and release the captive earl: this drew Richard from Vaudrueil, which he was then fortifying, and a peace was again proposed.

The bishop of Ely was also now returned from the imperial court, and had found no solidity in Henry's promises, nor any certainty in his measures, farther than he seemed desirous Richard should continue the war with France till he had recovered the places which Philip had rent from his patrimonial inheritance during his captivity; and, to encourage him therein, offered to remit him seventeen thousand marks which remained unpaid of his ransom. But Richard perceiving by this time that he had been duped by the emperor, who was now prosecuting his views in Italy without

performing any of his engagements with the English court, chose rather to pay that money than enter into Henry's measures, and thought fit to accept the treaty which was proposed by Philip. The terms of peace were accordingly settled in a conference of the two kings, between Yffadune and Charôt, on the fifth of December, and were afterwards ratified in the beginning of January of the following year.

Whilst the king was employed in war abroad, Hubert, archbishop of Canterbury, high-justiciary and regent of England, was acting with great diligence and justice in the administration of the government. He totally suppressed the gangs of robbers that sheltered themselves in the forests†, and infested the adjacent country, issuing a proclamation against them, and obliging all persons, from the age of sixteen and upwards, to take an oath that they would exert their utmost endeavours in order to discover, apprehend, and commit all vagabonds and other disorderly persons to custody. By these wise and excellent measures many of these banditti were taken, and the rest expelled the kingdom, to the great satisfaction and tranquility of the nation in general.

On the fourteenth of January, 1196, the two kings of England and France met, by agreement, at Louviers, between Vaudrueil and Gaillon, where the late treaty was ratified, and signed, in the presence of great numbers of the nobility of both kingdoms.

The principle articles were, "That the Norman Vexin, Evreux, Marcheneuf, Vernon, Longueville, Gaillon, Pacy, Rouencourt, with all their dependencies, should be delivered up to the king of France, with certain fiefs in Auvergne which had been long in dispute between the two kings: that the confines between the two countries should be settled between Vaudrueil and Gaillon, by drawing a line from the river Evre to the Seine; all that lies on that side of Gaillon to belong to the crown of France; and all lying on the side of Vaudrueil to the king of England.

"Richard was to have Yffadune and Garçay, in Berry, with all their dependencies; as also the earldoms of Eu and Albemarle, Arques, Driencourt, and all that had been conquered by Philip during the late war, excepting as above; and the king of France was left at liberty to fortify Ville-neuve upon the Char.

"Andely, belonging to the archbishop of Rouen, was not to be fortified; the prisoners were to be released on both sides; and the earldom of Thoulouse was to continue on the same footing it was, on the fifth of September preceding; and the counts of Perigord and Angoulesme were to be restored to their estates, on doing homage to Richard for the same."

This treaty, however, served only as a mutual respite, which was necessary for two fierce competitors, whose animosities had continued so long as to exhaust their strength and powers of doing farther mischiefs: the peace was soon violated on account of some disturbances in Brittany, where Philip secretly abetted those who were in the op-

* A term in the Romish Ritual, signifying the eighth day after any festival.

† Many of these were seized and imprisoned, while others fled, conscious of guilt. It is probable that the bold robber Robin Hood, lost his life in consequence of the ordinances

published at this time; for we are told, that he was obliged to take refuge in the monastery of Berkeley, where falling sick, and desiring to be let blood, he was betrayed and bled to death. Ralph Diceto. Hoved.

position to Richard. The state of affairs in that country was as follows.

The princess Constance, widow to Geoffrey late earl of Brittany, Richard's brother, had, after the death of her consort, married Ralph Blundell, earl of Chester, who had, under the late king, managed the affairs of that province. He lived at variance with the princess, and his government was so disgusting to the Bretons that they had drove him out of the country, and he had retired to his estate in Normandy. The king, desirous of effecting a reconciliation between him and Constance, sent for this princess, who was surprized on the road by her husband, and confined in his castle of St. Jaques de Bevron. Richard claimed the guardianship of her son Arthur, now in the ninth year of his age, as Brittany was a fief of the duchy of Normandy: but Constance, desirous of reserving to herself the charge of her son's education, recommended him to the protection of some lords who were in the French interest, who conveyed the young prince to St. Paul de Leon, in Lower Brittany, and solicited Philip's assistance. Richard, upon the first advice of these commotions in Brittany, sent Marcaddé, with his Brabanders, thither, and Stephen de Turnham, at the head of another body of forces; but both these leaders were worsted in a battle fought near Carhaes, in the bishopric of Cornouaille. Philip took this opportunity of the king of England's having divided his troops, to renew hostilities; and as the abbots of St. Denis, Marmontier, and Cluny, with the prior of la Charité, had been left by the former as hostages for his due observance of the peace, Richard, on this occasion, seized the lands belonging to those convents in England.

At this juncture Philip fell upon Normandy, where he met with little or no opposition to his arms, and took Aumale, with several other places, while Richard was obliged to act on the defensive at the head of a small body, till towards the latter end of the campaign, when his affairs took a more favourable turn. The Bretons being ill supported by France, were obliged to submit, and to deliver up their young earl into Richard's hands: and soon after, the quarrel, which had subsisted ever since the year 1159, between Richard and Raymond, count of Thoulouse, was now happily terminated, by the earl agreeing to marry Richard's sister Joan, queen-dowager of Sicily, her brother engaging to give with her the county of Agan, together with an entire resignation of all his claims as heir to the house of Poitiers upon the earldom of Thoulouse. The coming over of the earl of Thoulouse was soon followed by that of the earl of Flanders, who, on some very advantageous offers made him by Richard, espoused his cause, in which he was joined by many other French noblemen, particularly the earls of Champagne and Boulogne. These alliances seemed to promise a total reduction of the French monarch.

In the course of this year Richard had formed a scheme of marrying Otho, the young duke of Saxony, who was his nephew, with Margaret, eldest daughter of William, king of Scotland, who having no male issue, intended to declare that princess his successor, in case this match should take place. This settlement, however, was vigorously opposed by earl Patrick and the rest of the Scottish nobility, who insisted that the succession of right should devolve upon Edward, earl of Huntingdon; alleging that the crown of Scotland never descended

to a daughter when the king had a brother alive. This disappointment, however, did not prevent Richard from pushing the interest of his nephew with all his might; accordingly, by the assistance of the pope, and the proper application of several round sums of money, he actually got him chosen king of the Romans. It is now time to take a view of the state of affairs in England.

The prodigious expences which Richard necessarily incurred by keeping up an interest in almost all the courts of Europe, had obliged him to lay such heavy taxes upon the people as became at length intolerable. The commonalty now began to vent their uneasiness in clamours too loud to be appeased by the gentler arts of government, and Hubert, the justiciary, or regent, stood in need of all his prudence and resolution to prevent the general discontent from breaking out into open rebellion.

One William Fitz Osbert, a person of mean birth, and still meaner appearance, by his factious spirit and inflammatory harangues, was daily fomenting the disturbances between the rich and the poor, espousing the cause of the latter; and in proportion as the people were oppressed, the credit of William Longbeard (for so he was called, from suffering his beard to grow to an immoderate degree, in order to render himself more remarkable) increased: and this demagogue, by perpetually representing to his followers, that there was a collusion among the great, to ease themselves of the load of public taxes, and to throw it upon the shoulders of the poor, whom they considered in no better light than beasts of burden, and other insinuations of the like tendency, so heated their minds and inflamed their discontents, that a great tumult ensued in St. Paul's church, which ended in bloodshed.

Hubert, being informed of these disturbances, sent a party of men to bring Longbeard before him; but the latter, instead of obeying the summons, drew his sword, and ran the officer who was delivering the order to him through the body. This action, which sufficiently shewed the disposition of this pretended defender of the rights of his fellow-citizens, struck such dread and astonishment into the minds of the more reasonable part of his followers, that they dropped off one after another, and he was left only with a few lawless rabble, who were ripe for any mischief or bloodshed in which they had the least prospect of advantage. These, to the number of five hundred, entered into an association to defend and obey William, who, for some days, continued at the head of this rebel-rout, to rob and murder his fellow-citizens with great barbarity: in a word, the spirit of mutiny was now grown to such an height, that it was generally apprehended it would end in the destruction of the city. The regent, therefore, had no other resource but in severity and force to prevent open rebellion; accordingly he assembled a strong party of soldiers, and gave them orders to apprehend the seditious ruffian, dead or alive. The rioters finding themselves too weak to oppose the armed force sent against them, were constrained to fly, with Longbeard at their head, to the church of St. Mary le Bow, in Cheapside, where they barricaded themselves, in hopes to be able to hold out till a more general insurrection should happen in their favour. But herein they found themselves miserably deceived

ceived, for they were now looked upon with horror even by those in whose names, and for whose cause, they pretended to have taken up arms: so just a distinction will the judicious part of the people always make between a lawful and patriotic opposition to tyranny and oppression, and a rebellious and insolent spurning at the royal prerogative and authority. Longbeard continuing obstinate not to submit to a legal trial, Hubert ordered the government forces to storm the body of the church, upon which the rebel and his accomplices took to the steeple, and from thence shot down continual flights of arrows, and other missiles, upon the assailants; who, not chusing to venture their lives in attacking, under such disadvantages, so desperate a crew, filled the body of the church with trusses of wet straw, to which they afterwards set fire, and then stopping up the windows and doors, the rioters were so annoyed with the smoke, that, to avoid the danger of suffocation, they surrendered at discretion. Longbeard was instantly conveyed to the Tower of London, and being afterwards tried and convicted, he was drawn at a horse's tail through the streets of the city, and afterwards hung in chains, with nine of his accomplices*.

Hubert, having quietted these disturbances by his civil authority, found himself called upon to exert that military skill which he had acquired during his attendance on his royal master, in the wars of Palestine; for the Welsh, taking advantage of the king's absence, and of the commotions in London, had laid siege to the town and castle of Caermarthen, which they took and destroyed; and, pushing their success, invested some other strong fortresses, which shared the same fate. After this, under their prince Rees, they gave battle to, and defeated, Roger Mortimer and Hugh Say, two noblemen of the marches or borders, who attempted to check their progress. These successful depredations drew the regent himself into the field against the invaders; and having a strong army under his command, he resolved to give them battle; but the Welsh knew their own interest too well to run the hazard, and Hubert could do no more than take the castle of Gwenwynwyn; which, however, fell again into the enemy's hands as soon as the season obliged Hubert to retire with his forces.

Soon after this, the regent finding that he was become obnoxious to the people, by the steady attachment which he shewed to his master, and the manner (rather too severe) in which he enforced the royal mandates, so frequently repeated, for raising money by taxes, offered to lay down the regency, alleging that the fatigues of public business were too heavy for his advanced years; but being prevailed on by the warmest intreaties of Richard to continue in his service, he at last consented to resume his functions. We will now pass over to the continent.

Here Richard had so effectually laboured, that a general confederacy was entered into against the

crown of France, and most of the great military tenants had actually taken the field with their vassals. The king of England, on his side, desirous to secure his Norman dominions from any insults of the enemy, gave orders for erecting a fortress on the Isle of Seine, near Andely, that place affording the French an easy passage at all times into his patrimonial territories; but as this island belonged to the see of Rouen, Richard applied to the archbishop for his permission to carry on the work he proposed, which that prelate refused in a peremptory manner; and when he found that Richard, in despite of his denial, continued his intentions, he thundered his ecclesiastical censures against the whole duchy of Normandy.

Richard, however, knowing that the court of Rome was in his interest, paid little regard to the archbishop's menaces. He marched, at the head of a strong army, in the beginning of the year 1197, into Picardy, where he quickly made himself master of the town of St. Vallery, or Walleries, demolished the castle and sunk all the ships in the harbour, many whereof were richly laden; and having hanged up five masters of English vessels, who had brought corn and provisions for the relief of the enemy, returned with great booty into Normandy.

Not long after, the castle of Melay, in the Beauvoisis, was invested by John, count of Mortaigne, the king's brother, and Marcaddé, general of the Brabanders, and being taken by assault, was demolished. Peter de Dreux, cousin-german to the king of France, and bishop of Beauvais, had advanced, with William de Merlon and a body of troops, to raise the siege, but falling into an ambuscade, on the nineteenth of May, they were routed and both taken prisoners. The bishop, who was more of the soldier than the churchman, was, by Richard's order, kept closely confined in irons, at Rouen; and two of his clergy coming to petition for a milder treatment, Richard told them, that he thus used the bishop in retaliation for the many injuries he had received from him while on his eastern expedition, as well as during his captivity, which had been rendered more harsh and ignominious to him through the instances of that prelate with the emperor. The bishop upon this applied to the pope, in hopes he might more effectually interpose for his release; but the pontiff declining to demand such a favour for a priest taken in arms†, he could not obtain his liberation till he had paid Richard ten thousand marks for his ransom.

Richard having afterwards taken Dangeau, a place of some consequence, on the frontiers of the Norman Vexin, near Gisors, marched into Auvergne, where he reduced ten castles, which, however, were soon retaken by Philip, who was himself, about this time, in great danger of falling into Richard's hands; for as he was marching with no more than two hundred horse, from Mans to Gi-

* After his death, many endeavours were used to represent him as a martyr, and the most impudent reports were propagated of the miracles he was pretended to have wrought. The gibbet was stolen, as equal to the cross in sanctity; the turf, on which it stood, was carried away, and kept as a preservative from sickness and misfortune; and numbers of people resorted to the place, either out of curiosity or devotion. In a word, this villain, notwithstanding his atrocious crimes, was in a fair way of being reputed as great a saint at London as Becket was at Canterbury, had not the regent set a guard upon the place to keep off the rabble, and practised some other

severities, which soon put an end to this growing superstition.

† The pope did, indeed, at first write a gentle mitigating letter, in favour of the prelate, to which Richard returned no other answer than by sending the bishop's helmet and armour to Rome, with those words from the Scripture (Gen. xxxvii. 32.) "Know now whether this be thy son's coat, or not?" This answer, at once so just and witty, put a stop to the pope's intercession, who replied, "That the coat the king had sent did not belong to a son of the church, but of the camp; and that the prisoner was therefore at Richard's mercy." See Voltaire's Gen. Hist. vol. ii. p. 48.

fors, he was met upon the road by Richard, at the head of fifteen hundred regular troops, besides a great number of his Brabanders under Marcaddé; here Philip's destruction seemed inevitable, had he not, by a surprizing presence of mind, found means to extricate himself from the danger, by instantly drawing up his little party into a hollow square, and calling out with a commanding intrepidity, "Let those who love me, follow me!" This short but spirited harangue, added to the danger in which they saw their monarch's person, inspired this handful of Frenchmen with an ardour more than human, and fighting their way, like lions, through that part of the English army which they saw the weakest, they reached Gisors, with the loss of a few taken prisoners.

But the petty advantages gained by Philip were counterbalanced by losses that threatened no less than the extinction of his crown and dignity; for he now found almost all his great vassals in arms against him. The most powerful of the malecontents was Baldwin, earl of Flanders and Hainault, who, on some differences he had with Philip, formed an alliance offensive and defensive with Richard, not only during their natural lives, but to extend likewise to their heirs and descendants for ever. In consequence of this compact, Richard supplied the earl with money for raising an army, which being set on foot, Baldwin marched at its head, and reduced Douay, Aire, and several other fortresses, and at length invested Arras. Philip was greatly alarmed at these successes, being, with reason, apprehensive that, if the last-mentioned place should fall into the enemy's hands, he might expect him in a short time at the gates of Paris itself; he therefore determined to hazard every thing to raise the siege: and accordingly, having collected all his force, he put himself in march for the place. Baldwin, upon the news of his approach, made use of one of those military feints, which so often meet with success: he pretended to be afraid of facing Philip, and drew off with his forces towards his own frontiers: the French monarch fell into the snare laid for him, for no sooner was he apprized of the earl's retreat, than, attributing it to cowardice, he made several forced marches to come up with him, till he had penetrated a great way into the country, and then, when it was too late, he found his error; for the politic chieftain had so disposed his troops in their sham retreat, that a party was ready to break down all the bridges over the rivers which Philip had left at his back, whereby the French were effectually deprived of all communication with the places whence they were to receive their supplies of provision. This manœuvre reduced Philip and his forces to the last distress, and he found it necessary to have recourse, for his preservation, to his old arts of dissimulation: he sent deputies to the count, proposing terms of accommodation; he minded him of his duty as a vassal of France; at the same time he declared most solemnly, that he had never entertained a design of entering his territories in an hostile manner, and offered, as a proof of the truth of his assertion, and of his desire of living in friendship and good understanding with him, to restore all the places belonging to the earl of Flanders that had been annexed to the crown of France: the envoys had also orders to insinuate to the earl, that he had adopted an impolitic plan, and one

quite contrary to his own interest, in siding with Richard to destroy the power of France, which was the only barrier that could secure him against the ambitious attempts of the all-grasping Richard, who would not fail of seizing the first opportunity of reducing him and his dominions to a state of abject vassalage. Baldwin listened to these arguments with that degree of attention, which every prudent person owes to his own safety and welfare; he could not refuse his assent to the truth of some part of Philip's remonstrances; but then, as he had given hostages to Richard for his faithful performance of the compact between them, he could not absolutely break with that monarch: therefore, chusing the most politic medium, he offered to act as mediator between the two rival powers, and in the mean time gave Philip to understand that he might retire unmolested.

Thus did Philip, by his policy, frustrate all the designs of the confederates, who, if they had improved their successes, must in a short time have brought the Gallic monarchy to utter ruin. Richard was a prince of too much discernment not to see the real motives which induced the earl of Flanders to change his conduct, and from the inveterate foe of France to become a mediator for a peace, by which alone that kingdom could be saved from destruction; however, he submitted to the circumstances of the times with a good face, and accepted the proposals for a conference to be held between him and Philip at Andely, on the seventeenth of September, 1197. The animosities between the two kings were as yet too keen to allow them to agree on terms of peace; but a truce for one year was concluded, and the prisoners on each side released upon paying a reasonable ransom. It may not be amiss to observe in this place, that the king of England, who had entertained a distrust of the earl of Flanders' sincerity, was not so much prevailed upon by his persuasion, as by the advice of Hubert, to consent to the truce. That able counsellor (whom Richard had sent for into Normandy, and who had continued with him from the middle of June to the beginning of November) now returned to England, carrying over with him a proclamation from the king, for fixing the standard of the currency, appointing one set of weights and measures to be used all over the kingdom; and for the prevention of frauds and impositions in the woollen manufacture.

In the spring of the year 1198 he made a progress through Wales, changing the governors of several castles, and vesting the custody of them in those whose prudence and fidelity he could best confide in.

About the same time a very grievous tallage was exacted upon the subject, at the rate of five shillings for every hide or hundred acres of land in the kingdom: this was laid with very severe penalties on the defaulters in payment, which caused a great murmuring among the farmers, and those chiefly affected thereby, and rendered Hubert very unpopular. The justiciary was not more severe on the laity than the clergy: he had turned the secular canons out of the priory of Coventry, and restored the monks, who had been expelled by Hugh Nonant, bishop of the diocese; but his legatine power being abolished by the death of pope Celestine, who had always been his friend, Innocent III. the successor of that pontiff, would never consent to renew his commission. His ene-

mies began now to cabal against him; and he having built a chapel at Lambeth, the monks of Christ-church pretended to be afraid that the archbishop intended to remove the see of Canterbury to that place, and represented him as an enemy to the papal authority. These malicious suggestions were too easily believed by Innocent, who sent him an order not only to demolish the chapel he had built, but also to resign the post of justiciary, as inconsistent with his ecclesiastical character. Richard, who certainly ought in gratitude and justice to have supported his old servant, who had rendered himself obnoxious only by his too strict obedience to the royal mandates, being afraid to disoblige the pope, tamely gave Hubert up, and substituted Geoffrey Fitz Peter in his place, while Hugh de Neville was made justiciary of all the king's forests.

This year the Welsh again invaded England; but the new justiciary, calling to his assistance the lords of the Marches, marched at the head of a numerous army, and, after several sharp skirmishes, obliged the invaders to submit, and returned in triumph to London.

The truce between the kings of France and England expiring about the end of autumn, the earl of Flanders fell upon the county of Artois, and took St. Omer. At the same time Philip made incursions upon the Norman frontiers, and in his progress exercised the most inhuman cruelties upon the wretched inhabitants of those places that lay in his way. These barbarous practices provoked Richard, who was certainly of a fiery and revengeful temper, to a retaliation; so that the war seemed rather the conflict of savages, or wild beasts, than a dispute between human creatures and Christians. The two kings were not long before they had a rencounter, between Vernon and Gamages, in which Richard gained the advantage, and Philip, out of revenge, burnt upwards of eighteen villages, and then left Normandy.

This retreat of the French gave Richard leisure to invade their territories, which he entered by the ford or pass of Dangeau, and proceeded forthwith to lay siege to the castle of Courcelles, which, together with Bures, he took before Philip could come to their relief. The latter, however, determined to put a stop to the progress of Richard's arms, and with that view began his march from Mante, where he then was, at the head of four hundred knights and three-score esquires on horseback, and a strong body of militia, in order to give battle to the English forces. He was met by Richard at Gisors, by whom he was attacked with such fury, that his army was entirely routed, and

obliged to fly with the utmost precipitation: Philip himself was very near perishing in the river Epte, by the breaking down of the bridge over which he passed; above twenty knights were drowned by this accident, which cut off the retreat of the French forces, so that they were almost all killed or taken prisoners*.

This victory was followed by ravages in several parts of the French territories, the most remarkable whereof was the incursion made by Marcadé with his Brabanders into Picardy, as far as Abbeville, where he made a very great booty, and took a number of merchants prisoners (who were come to the public fair held there at that time of the year) who paid very large sums for their ransom. Richard erected the fortress at Boutavant, in an isle of the Seine, whilst the French king, raising a new army, took his revenge by burning the town of Evreux and seven of the neighbouring villages; but being weary of the war, Philip made overtures of peace, in which he offered to restore to the king of England all the territories and castles he had taken since the expedition to the Holy Land, Gisors only excepted: and as to the contested right to that place, he expressed himself willing to submit his claim to the judgment of six Norman barons to be chosen by himself, and as many French to be named by Richard.

These terms were so equitable, that the peace would not have been delayed a day, could Philip have been brought to pardon the earl of Flanders, and others of the French nobility, who had sided with the king of England during the late troubles; but as he absolutely refused to accede to this preliminary article, without which Richard would not consent to a peace, a truce only was concluded, to last from November to the feast of St. Hillary next following.

Philip was, with reason, very uneasy at the strong confederacy which Richard had formed against him, and wanted to break it at any rate, having no hopes of gaining any advantage by war till this was effected: now this project could not be entered upon with any prospect of success, without a long peace or truce; and no way appearing so likely to bring this about as the pope's intercession, Philip applied to Innocent III. who then filled the papal chair (and to whom these wars were very disagreeable, inasmuch as they put a stop to his favourite design to renew the crusades in the Holy Land), and earnestly pressed him to bring about an accommodation, promising that, could it be effected, he would employ all his force towards the recovery of the Holy Land. Innocent, upon the motives already mentioned, gladly complied with his request, and sent cardinal Peter of

* We have a particular account of this battle in a letter written by the king himself to the bishop of Durham, which it may not be improper to subjoin.

"Know (says he), that on the Sunday before Michaelmas, we entered the territories of France by Dangeau, and attacked Courcelles, which, with its castle, tower, governor, and garrison we took. The same day we assaulted the strong house Bures, which we likewise took, and returned at night to Dangeau.

"Next day the king of France, being informed of our march, came from Mante, with three hundred knights and their esquires, and a body of militia, to succour Courcelles, which he did not know was taken. As soon as we heard of his approach, we went with a small party, and took post on the banks of the Epte, believing that the enemy intended to attack us by the ford of Dangeau. But the enemy advanced on the side of Gisors, at the gates of which city we attacked them, and obliged them to fly with such precipitation, that

the king of France, as we heard, drank of the river, and about twenty of his knights were drowned. We, with our own hand, unhorsed and took prisoners Matthew de Montmorency, Alan de Rouffy, and Fulk de Gilerval; and about an hundred knights more have fallen into the hands of our troops. Their names we shall send you when we have seen them, for Marcadé, general of the Brabanders, has thirty of them, whom we have not yet seen. The number of the esquires, horsemen, and foot that are taken, cannot be distinctly ascertained. Two hundred led horses are taken, of which one hundred and forty are covered with iron.

"Thus did we overcome the king of France at Gisors; though not we, but God and our right for us." Rym. vol. i. p. 96.

We are told, that it was on occasion of this victory that the motto, DIEU ET MON DROIT, i. e. God and my Right, was first added to the royal arms of England.

Capua into France to act as mediator between the contending parties.

The legate's arrival, and the errand he came on, were far from being agreeable to Richard, who was angry at the pope for not having either obliged the king of France to restore the places he seized during his captivity, or excommunicated him on his refusal; a neglect which had put Richard under a necessity of recovering them by force, and at an infinite expence. Richard complained of his conduct, and could not be brought to agree even to a conference, till the pope's legate had assured him that he had been sent over at the especial instance of the king of France; upon which Richard at length consented to an interview, which was held on the feast of St. Hillary (the twenty-third of January) 1199, between Vernon and Andely, Richard being in a boat on the Seine, and the king of France on horseback upon the bank of the river. All that could be effected, was a truce for five years, by which it was provided by oath on both sides, "That, during that time, the subjects of both princes should have free intercourse, to pass and repass to fairs and markets, and to traffic with each other." Upon the faith of this truce both kings disbanded their armies.

But Philip had contracted such an inveterate habit of treachery and deceit, that he could not observe his engagements even when his own interests required that he should observe them. Marcaddé, in returning with his Brabanders to their quarters, was obliged to pass over a slip of the territories of France that lay in his way; here he was attacked on a sudden by four French noblemen, and several of his people were slain. At the same time Philip fortified a castle between Boutavant and Gaillon, and cut down a wood which lay near it, the property of the king of England, who was at that time busied in suppressing a rebellion which had broke out afresh in Guienne.

Richard, who was by no means of a temper to put up with such indignities, no sooner returned from his expedition, than he sent the bishop of Ely to declare that he would hold the truce as dissolved, unless the new castle was immediately demolished, and at the same time to demand satisfaction for the unwarrantable treatment of Marcaddé and his company.

Philip disavowed all that had been acted against this latter, and promised to dismantle the fortress. But Richard was not to be so easily put off; he well knew the little dependence to be placed upon Gallic vows and promises, lavished in every case of necessity, and broken on every prospect of advantage: he insisted upon a final determination of the controversy between him and the king of France, declaring, if Philip should refuse to enter upon a lasting and solid treaty, he would no longer look upon himself as bound by the late truce, which had already been violated on the side of the French king. This gave occasion to a new conference, and a plan of peace, whereby the king of England was to give his niece, Blanch of Castile, to Lewis, prince-royal of France, together with Gisors and twenty thousand marks of silver for her portion. All the other places taken from Richard, were to be restored; and, as an indemnification for Gisors, the king of France was to convey to him the right of

nomination to the archbishopric of Tours; a right which, in the case of Bourges and other sees, had been frequently reserved by the ancient kings of France when they granted away fiefs to dukes and counts, and was then very considerable, though now reduced to little more than the confirmation of the persons elected by the chapters. The king of France was likewise to swear that he would, to the utmost of his power, assist Richard's nephew, Otho, in getting entire possession of the empire of Germany: an article which shews that Philip was very much reduced when this treaty was set on foot; for he had, on the first of July of the preceding year, entered into a league with Philip, duke of Swabia, against Richard; but, as I have already observed, the French monarch gave himself little concern about the observance of conventions, when a breach thereof served either his interest or convenience.

Some time was demanded and agreed upon by both parties, for examining those articles, and Richard proposed to ratify them upon his return from an expedition into Aquitaine; but an accident in the mean time happened, which put an end not only to the treaty, but to Richard's life.

A peasant ploughing in a field near Limoges had discovered a treasure, containing some valuable pieces of antiquity; Aymar, viscount of that place, and lord of the soil, got possession of this treasure, and refused to deliver it to the king of England, who claimed it as lord-paramount*; who drawing his forces together, invested the Castle of Chaluze, where he imagined it was lodged. The garrison, terrified at this, offered to surrender upon assurance they should preserve their lives, limbs, and arms; but Richard, with a brutality which nothing can excuse, if really exercised, refused to grant them even this capitulation, at the same time declaring that he would take the place by storm and hang up all that were within it. This severity, as impolitic as it was inhuman, drove the garrison to despair, and they resolved to sell their lives as dear as possible. On the eighth day of March, after dinner, Richard, armed only with his breast-plate, went out, attended by Marcaddé, to reconnoitre the place; and one of the besieged, whose name was Bertram de Gurdon, desecring him, and knowing his person, aimed an arrow from a cross-bow† at him so fatally, that it pierced his shoulder close to his neck. The wound itself was not mortal, but made so by the unskilfulness of the surgeon who dressed it; and some say that the king himself, by his intemperance, helped to inflame it: be that as it will, the wound mortified, and Richard, finding there were no hopes of his recovery, made his will, devising his kingdom, with all his other dominions, to his brother John, to whom he had been for some time perfectly reconciled; reserving the rest for alms for the poor, and legacies among his domestics.

Every thing being thus regulated, we are told that the archbishop of Rouen, presuming upon the privilege which a death-bed gives to clerical intrusion and insolence, advised Richard, with whom he had several sharp disputes, to put away his three daughters. "Daughters! (replied the king) why you know I have none." "Yes (said the prelate) you have three, Pride, Covetousness, and Luxury."

* The county of Limoufin was held of the duchy of Guienne. Rapin.

† An instrument of war which Richard had either brought into use, or invented himself. Rapin.

"Then (said Richard) that I may dispose of them where I know they will be cherished, I leave my Pride to the Knights Templars, my Covetousness to the Cistercians, and my Luxury to the Prelates."

A little before he died, he sent for Bertram de Gurdon (the person who had wounded him), who being brought into his presence, Richard demanded of him, what harm he had ever done to him, that he should take away his life? The other, with an amazing fortitude and composure of countenance, replied, "You, with your own hand, killed my father, and two of my brothers; and you would have killed me likewise, had it been in your power. You may now, when you please, glut your revenge; but know, that I shall endure with cheerfulness the worst torments thy cruelty can devise, were I but assured that I have been the happy instrument of freeing the world from so bloody and mischievous a tyrant."

This bold and spirited answer struck Richard with more remorse, and opened his eyes more than all the exhortations of the priests had done before. He ordered the gallant Bertram to be set at liberty, and an hundred shillings to be given him as a present; but Marcaddé, like a true ruffian, commanded him to be fled alive.

Richard next commanded that his brain, blood, and bowels should be buried at Charon, in Poictou, his heart at Rouen, and his body at Fontevraud*, across his father's feet. His death happened on the sixth of April, 1199, eleven days after he received his wound, having reigned nine years, seven months, and twenty days†.

Such was the death of Richard I. who, in personal bravery and prowess, excelled all the princes of that age; from hence he obtained the surname of Cœur de Lion, or Lion-heart. War was to him a pastime, and danger a spur to fresh achievements. He was strong, and well proportioned: his arms were long; his eyes blue, and full of vivacity; his hair was of a yellowish colour, his countenance fair and comely, and his air grand, noble, and truly majestic. Few persons were possessed of a greater share of understanding, a more solid judgment, or more persuasive eloquence: he had a ready wit, and was master of a delicate keen vein of satire, witness his famous repartee to the archbishop of Rouen, when on his death-bed. Though naturally grave and serious in his outward deportment, he could give a loose to frank and facetious familiarity, when, unbending from the toils of state, in the company of his courtiers and favourites.

His private character has been so variously portrayed by different writers, that it is very difficult to say any thing upon that head with tolerable con-

sistency. He seems, like most other great men, to have had a mixture of shining qualities and destructive vices. His ingratitude and want of filial affection are unpardonable. He was proud, haughty, ambitious, choleric, cruel, and vindictive: he was at once meanly avaricious and idly profuse. During his reign, the people were burdened with several very heavy taxes; but then it cannot be said that he hoarded up his money like a covetous miser, for he employed all of it in defraying the expences of a war, which, however ridiculous it may appear in modern times, was certainly held laudable in that period. Upon the whole, Richard's most inveterate enemies must confess, that had Heaven lent him longer life, the natural rivals of this kingdom, the French, would never have been able to extend their territories, as they afterwards did; nor would England have been reduced to the miserable and abject state in which she appeared under the reign of his successor.

Richard's wife, as we have already seen, was Berengera, daughter of Sanchez IV. king of Navarre, of whom, after her return from the Holy Land, we find little or no mention made in history. By her he had no issue.

Hoveden mentions one Philip, a natural son of Richard, to whom his father gave the castle of Cuinac, in Poictou; and we are told that his mother was a Poictevin lady.

Remarkable Occurrences in this Prince's Reign.

Richard was the first king of England who bore in his shield three lions passant guardant; which bearing has ever since been continued by his successors.

In or about his time coats of arms came also to be hereditary in families. These owe their origin to the badges, which knights, and other military persons, painted, for distinction-sake, on their shields or banners, in those mad expeditions in the East, called crusades. See Dugdale's Preface to his Baronage. Tyrrel's History of England. Spelman's Aspilogia, &c.

During this reign the city of London began to put on a new form, with respect to its government, and was divided into several corporations or societies, or, as they are now called, companies.

In the first year of king Richard, A. D. 1189, the citizens of London obtained to be governed by two bailiffs, or sheriffs; and also to have a mayor for their principal governor. The two first sheriffs, or bailiffs, were Henry Cornhill and Richard Raynere; and the first mayor, Henry Fitz Alwin, who continued in that office above twenty-four years. See Stowe's Survey, vol. ii. book v. p. 100.

* Upon his coffin were inscribed in golden letters, the six following verses, specifying his greatest and most glorious achievements; such as his victory over the Sicilians, his conquest of Cyprus, his sinking the great carrack of the Saracens, the taking of the Babylonian caravan, and the defending of Joppa against the infidels.

Scribitur hoc tumulo, rex auree, laus tua, tota
Aurea, materiae conveniente nota,
Laus tua prima fuit Siculi, Cyprus altera, Dromo
Tertia, Caravana quarta, suprema Joppe.
Suppressi Siculi, Cyprus pessundata, Dromo
Merfus, Carvana capta, retenta Joppe.

† I cannot dismiss this subject, without taking notice of the various accounts historians give us of the place and circum-

stances of this king's death. Diceto says, the person who wounded him was named Peter Bafili, p. 705. And Gervase of Canterbury, that it was one John Sabraz: he says, moreover, that Richard was wounded, not at Chaluze, but at the siege of a castle in Angoulême, named Nantrum, p. 1628. Walter Hemingford makes Richard to have been wounded near the castle of Galliard, which he had lately built in the isle of Andely. The king of France having seized that castle, Richard went to retake it, and there received his death's wound, in the manner as has been already related, but without naming the person who gave it him; besides, he makes him to die not so much of the wound, as by indulging himself in connubial pleasures, which had been strictly forbidden him by his surgeons. Tyrrel.



Engrav'd for
MORTIMER'S
History of England.



KING
JOHN.

S. Wale delin.

C. Grignon sculp.

In the second year of this king's reign, on Midsummer-eve, the sun was eclipsed for three hours, and the stars appeared in the heavens at ten of the clock in the forenoon. In the fifth, sixth, and seventh years of his reign, there was so great a dearth in England and France, that a quarter of wheat was sold for almost twenty shillings, equal to six pounds of the present money; which was followed by a severe mortality, that carried off innumerable

multitudes of people by a pestilential fever: it lasted five months, during which time the dead were buried in pits, a great many together, for they died so fast that those who survived had not time to bury them singly. About Whitsunday two suns appeared, the true one and another, so like each other that the astronomers were obliged to view them with their instruments to distinguish them. Com. Hist. Eng.

J O H N, surnamed L A C K L A N D*. A. D. 1199.

WE have seen that Richard, before he died, made a will, by which he bequeathed the kingdom of England to his brother John. He had formerly, during his stay at Messina, made a different disposition, and appointed his nephew, Arthur, duke of Brittany, his heir, as appears from a letter he wrote from thence to the pope, which is now to be seen in the Collection of Public Acts†; but probably the fear of raising commotions in his dominions made him alter his mind; for there can be no other reason assigned why he should favour his brother, whom he had very little cause to love, in prejudice of his nephew, whose title was no less just than prince John's: and, indeed, the right of this latter was far from being rendered incontestable by the will made in his favour, for how absolute soever a prince may be in his life-time, his power generally dies with him, and his will is no farther regarded than as it is consistent with the laws of the land and the interest of the nation, or supported by a military force. But, on the other hand, as the English had been accustomed, both under the Saxon and Norman government, to see the hereditary right set aside, they could not be greatly shocked at the exclusion of young Arthur, a foreigner whom they had never seen, in favour of prince John, who had been educated among them, and who had already secured the principal men in the kingdom in his interest.

Though the people of England, in general, were so cool with regard to Arthur and his interests, the French in the territories belonging to the late king entertained very different sentiments; and it is certain that, upon Richard's death, the provinces of Anjou, Touraine, and Maine, in a general assembly of their nobility, declared for the duke of Brittany as their lawful sovereign. John was at this time at Chinon, where he entered into a negotiation with Robert de Turnham, who had the custody of Richard's treasures, and was at length so fortunate as to gain that officer, who delivered him the money, and surrendered into his hands the two important cities of Saumur and Chinon, of which he was governor. Soon after he received advice that Thomas de Fiennes had delivered up the castle of Angiers to Arthur; and that his example had been followed by many noblemen of the provinces already mentioned. As these proceedings might prove of dangerous consequence with regard to Normandy, and even have some influence in England, John was in no small perplexity: however, as he had Richard's treasures in his hands, he seasonably used them to gain

over some of the principal lords in Normandy. At the same time, raising an army, he advanced to le Mans, which he took, together with its castle, which he dismantled, and carried off the inhabitants prisoners, in order to strike terror into all those who had taken part with young Arthur. After this exploit he returned to Rouen, where, on the twenty-fifth of April, he was invested with the sword and ducal coronet of Normandy, by the archbishop of that city, who administered to him the oath usually taken on such occasions.

While he continued here he received advices that gave him fresh disquietude. He understood that Constance, the mother of Arthur, hoping to maintain her son's right by the assistance of the king of France, had actually put him under the protection of that monarch, who garrisoned all his towns and castles; sent the young duke to Paris, to be educated with his own son, Lewis, prince-royal of France; and, regardless of the truce which had been concluded before Richard's death, invaded Normandy, which he ravaged with fire and sword. Upon John's putting himself in march towards him, the dastardly Frenchman thought proper to retreat, and John, finding himself thus established in the quiet possession of his brother's foreign dominions, and understanding that the way was paved for his accession to the throne of England by Hubert, archbishop of Canterbury, and William Mareschall, afterwards earl of Pembroke, whom he had sent before him out of Normandy, to concert measures for supporting his interest with queen Eleanor and Geoffrey Fitz Peters the chief-justiciary, he immediately embarked for England, and landing at Shoreham on the twenty-fifth of May, proceeded to his coronation at Westminster, where that ceremony was performed by Hubert, archbishop of Canterbury, on May 27, being Ascension-day, in the presence of a great number of the nobility, both spiritual and temporal; and the new king took the usual oath, to maintain the peace of the church and the people, to discountenance all rapine and irregularities, and to observe justice and equity in all his decisions.

On the day of his coronation, John invested William Mareschall, Geoffrey Fitz Peters, and William de Ferrers with the dignities of earls, the first of Pembroke, the second of Essex, and the third of Derby, by girding them with swords, in which they served at the king's table: Hubert, archbishop of Canterbury, was at the same time made chancellor; Roger de Lucy had the castle and honour

* A nickname given him by Henry, his father, because he left him in his will no lands nor inheritance, but recommended him to be provided for by his elder brother. Brompt.

† Tome i. p. 68.

of Pontefract given him, and other barons were favoured with the like marks of honour and emolument. John certainly acted with sound policy in thus rewarding the fidelity and services of his friends, by whose good offices and interest, and not by the right of blood, he had ascended the throne.

But the greatest subject of the crown of England was yet to be satisfied; this was William, king of Scotland. Immediately upon the death of Richard, this prince had dispatched ambassadors to England, to proceed from thence over to Normandy, to make requisition from John of the so often litigated counties in the North; but those envoys had been stopped on their way by the English regency, who gave them assurances, in the name of John, that as soon as he should return from the continent, he would give William satisfaction for all his demands, provided he kept the peace in the mean time. William rested contented with this promise for the time; but now that he found John established in the throne, and that he did not seem to take any notice of his claim, he renewed his solicitations by fresh ambassadors; upon which John returned for answer, that if his dear cousin would give him a meeting, he would satisfy that and all his other demands: but William refused to stir from home, and sent word to the court of England, that, unless he was satisfied in his demands within the space of forty days, he would assert his right by force of arms. In order, therefore, to secure the kingdom against the invasion of the enemy, the counties of Northumberland and Cumberland, with all their castles, were by John committed to the custody of William d'Estouteville, a baron of great power and influence in that part of the country.

Having thus settled the affairs of England, John resolved to pass over to Normandy, where his presence was now become necessary, in order to oppose the progress of Philip, who on the arrival of the king of England, proposed a truce, and both parties offered to hold a conference to put an end to all their disputes. Accordingly, on the sixteenth of August the two princes met between Gaillon and Boutavant; but, by reason of the high demands of the French monarch, the conference broke up without any effect. Some historians have given us the following reason why Philip was so stiff on this occasion.

Queen Eleanor had, after the death of Richard, done homage to the king of France, at Tours, for the duchy of Guienne, of which she then took possession in consequence of a previous agreement with her son John; but this latter had assumed the government of Normandy without paying the proper marks of deference to Philip, as lord-paramount of that province, which the latter highly resented.

Much about this time, Philip, earl of Flanders, did homage to John for his pension; and, in general, all the allies of Richard continued firm in the interests of his successor: but John seems to have trusted too much to their assistance, without making the proper efforts on his own part, and by that means lost an opportunity of settling a firm peace with Philip; and a message he received, while the conference was on foot, from his nephew Otho, who was now raised to the imperial dignity, did not a little contribute to make him careless in managing Philip. Otho, who had a settled enmity to the king of France, sent his uncle word, that he should make no dishonourable treaty with

France, since he hoped to be shortly in a condition to give him very powerful assistance.

Immediately upon the breaking up of the conference, Philip went and laid siege to Conches, and afterwards invested Lavardin; but John, assembling a superior army, marched to relieve the place. Hereupon Philip retired into Maine; and the countess of Brittany, upon some cause of discontent against the king of France, withdrew with her son Arthur to Mans, which was then under the government of William de la Roche. The design of Constance in this step, was to throw herself and son under the protection of John, and la Roche had, on that account, surrendered up to him the town and castle of Mans; but there were some persons in the court of king John, who, bribed by Philip, or out of affection to young Arthur, intimated to Constance, that her own and her son's life were in danger near a prince, who was far from being a scrupulous observer of his promises, where his interest was concerned in the breach of them. These insinuations, often repeated, made such an impression on the countess and her son, that they fled, with all the Breton nobility that attended them, to Angiers, from whence she sent to acquaint Philip that she was ready to put herself and the young duke again under his protection.

This event was highly agreeable to Philip, who thought he had it now in his power to raise insuperable difficulties in the way of John, and bring him to consent to any terms for a respite from war. It was now towards the end of the year 1199, and Philip had been able to do nothing of consequence in the field against the king of England; he therefore applied to himself to the arts of the cabinet, in which the court of France had always shewn itself superior, and had frequently wrested from the kings of England by negotiation, what they had won by their valour and success in arms. With this view Philip applied to Peter of Capua, the pope's legate, to exert his endeavours to effectuate a solid peace between France and England. The legate readily engaged in this undertaking; and, as a previous step, prevailed on John to agree to a suspension of arms till the middle of January following. The terms of this armistice being settled, John kept his Christmas this year at Bures, in Normandy; and a conference was appointed to be held between the two kings, before the expiration of the truce, in order to settle a definitive treaty of peace.

In the interim there happened an event, which gave a terrible blow to the prospects with which the king of England had flattered himself. The earl of Flanders, John's most useful ally, having gotten intelligence of the negotiation entered into by that prince with the French court, thought he could no longer, with safety to himself, depend upon an ally of so fickle a disposition: he plainly foresaw that he should be abandoned by the proposed treaty of peace to the resentment of his incensed sovereign the king of France, whose vassal he was for the greatest part of his dominions; he therefore sent to Philip with offers of reconciliation, which the other gladly accepted; and the rest of the confederacy, despairing of success after the defection of so principal a member, made their submission likewise to Philip.

This change of circumstances, the advice of his mother Eleanor, and the terror he had of Arthur, whose

whose right to the crown gave him continual uneasiness, made John resolve to clap up a peace at any rate with the king of France. Accordingly a conference was held, between Andely and Gaillon, in the month of January, 1200. The terms agreed upon were only preliminaries, but such as seem to have been dictated by the king of France; for it was stipulated,

“That Lewis, son to Philip, should marry John’s niece, Blanche, princess of Castile*.

“That the latter should with her give up the earldom and city of Evreux, together with his claim to all the places possessed by Philip in Normandy at the time of Richard’s death, and thirty thousand marks in silver.

“That John should not, directly nor indirectly, assist the emperor Otho, his nephew, who was at war with France.”

These disgraceful preliminaries being settled, John came over to England, where he levied a tax of three shillings upon every plough-land throughout the kingdom, under the pretence of paying the fortune of his niece, but, in fact, to support his own extravagant expences, which were without all bounds of reason: in short, John seems to have had a head as trifling as his heart was debauched.

About this time queen Eleanor herself took a journey to Spain, to fetch Blanche of Castile, her grand-daughter, who was to be married to prince Lewis of France; and arriving with her in that kingdom, the nuptials were solemnized at Rouen. All the articles of the treaty being now fulfilled, the two courts of France and England seemed to be in perfect union.

In the interim the emperor, being offended at the peace made without consulting him, sent ambassadors to the king, his uncle, to upbraid him with a breach of the convention entered into between them, by which both parties had solemnly engaged not to make a peace, or even a truce, without the consent of each other; and at the same time to demand some jewels left to him by Richard in his will, as also the earldoms of York and Poictou, which that monarch had bequeathed: but as John had no farther occasion for Otho’s assistance, he found many plausible pretexts to avoid giving him satisfaction.

John finding Arthur left without a protector by the late treaty made with the French king, he dispossessed him of all the provinces which had been left him, Brittany alone remaining firm to his interests, as a place to which John could lay no claim.

But whilst the king of England was making these conquests, he himself became a captive to the charms of Isabella, daughter to the count of Angoulesme, one of the greatest beauties of that age. He had, as we have already seen, been married to Avisa, the heiress of Gloucester; but being satiated with possession, he easily found means to plead consanguinity, and got the pope’s licence for a divorce. On the other hand, Isabella had been betrothed to Hugh, earl of March, but their nuptials had never been solemnized; yet all these obstacles he found means to surmount, by the timely appli-

cation of large sums, and in a short time Isabella of Angoulesme was made his queen; and about the beginning of October this year, they were both solemnly crowned, by the old archbishop of Canterbury, at Westminster.

In this manner most historians speak of this marriage, assuring us that John’s love for Isabella was the sole motive of his parting with Avisa, notwithstanding the pretext of relationship he made use of on the occasion.

A little after the king’s marriage, Constance of Brittany, who was married to Ralph, earl of Chester, having lost her second husband, or, as some say, having parted with her by consent of both parties, was married to Guy de Thouars, with whom she did not live quite a twelvemonth, dying in 1201.

We have already seen that William, king of Scotland, had, ever since the death of Richard, been very importunate for the restitution of the two counties to which he laid claim. John had found means to amuse him with general promises, that were never performed: at this time, however, John thought it highly necessary for his affairs to settle matters amicably with this powerful subject. He therefore sent an honourable embassy† to Scotland, to invite that prince into England, where John proposed to meet him at Lincoln. William complying with the invitation, the two kings met at Lincoln, on the twenty-first of November, where he did homage to John in public, upon a high hill‡, near the city, in the presence of the great men of both nations, and in the sight of all the people, swearing upon the cross of archbishop Hubert, “That he would be his liege-man and bear faith to him of life, limb, and terrene honour, against all men; and that, saving the rights of his own crown, he would keep peace with him and his kingdom.” It is not known for what lands William did this homage, as the Scottish writers are not agreed in this matter: the English historians will have it that it was for the kingdom of Scotland itself; but this appears to be founded more on national vanity than real fact. Be that as it will, the ceremony of the homage being over, the Scottish monarch would have moved his affair of the claimed counties; but John had the address to shift off the demand, pretending that he could do nothing in so important an affair, without the advice of his great council in parliament: however, he promised to give William an answer by the following Whitsuntide, and then returned to the south of England, and kept his Christmas in a very splendid manner at Guildford.

In the beginning of January, 1201, John set out with his young queen on a progress to the borders of Scotland. During his journey he held many courts, where great numbers, who had trespassed against the forest-laws, were summoned, and rigorously fined: this could not fail of creating great discontent among the people, who, by the charter of Henry II. restoring the laws of Edward the Confessor, thought themselves exempted from those arbitrary forest-laws that had been introduced by the Norman line, and restored to their privilege of hunting. John seems to have been sensible of the

* She was daughter of Alphonso VIII. and Eleanor, daughter of Henry II.

† This deputation consisted of Philip, bishop of Durham; Roger Bigod, earl of Norfolk; Henry de Bohun, earl of Here-

ford; David, earl of Huntingdon: Roger de Lucy, constable of Chester; William de Vesci, Roger de Ros, and Robert Fitz Roger, sheriff of Northumberland. Hoved.

‡ Since called Bere-hill.

resentment of his subjects, and to have dreaded it; for at this time he compromised all his differences with his natural brother Geoffrey, archbishop of York.

About Easter the court returned from this progress, when John, receiving advice that an insurrection had been raised at Mans, by the count of la Marche and his brother Ralph de Yffadun, resolved to repair to the continent in person to put a stop to these commotions. He therefore summoned his barons and military tenants to attend him beyond sea by Whitsuntide, and the rendezvous was appointed to be at Portsmouth, where they were to repair well provided with arms and horses. The kings of England were seldom accustomed to put their nobles to the trouble and expence of such foreign expeditions, unless when they had a war with some foreign potentate; and as the only business now was to crush two or three vassals of the crown, who had raised a commotion on account of some oppressions which they had suffered, and which the English barons apprehended might be one day their own case, they did not chuse to lend their assistance on this occasion; and having met in consultation at Leicester, to consider of the summons they had received from the king, they came to a resolution with one consent, to send John word, that they would not accompany him over, unless he restored them their rights, which had been violated by the revival of the forest-laws.

John, alarmed at this spirited resolution of his barons, ordered them to deliver up their castles. William de Albiney was the first person of whom he made this demand; and that nobleman compounded for his castle of Belvoir, by giving his son for an hostage: and the personal attendance of the barons was commuted for a sum of money, amounting to two marks for every knight's fee, and which John, in fact, wanted more than he did their company.

This affair being settled, John sent the earl of Pembroke and the constable of Chester*, with two hundred men at arms, to suppress the revolters abroad; and appointed Hubert de Burgh, his chamberlain, guardian of the Welsh Marches during his absence.

The time was now almost expired when the king of Scotland was to receive a final answer to his demands; but John excused himself on the exigence of affairs on the continent, which demanded his presence there, and put off that prince till Michaelmas following.

The clergy of England were next to be managed, and John, to give a proof of his esteem for that body, remitted the Cistercian monks their share of the late tax, and at the same time promised them to found an abbey for their order, which promise he some time after fulfilled, and built the abbey of Beaulieu, now Bewdley, in Hampshire, which he endowed with privilege of sanctuary and several very considerable revenues.

Having taken all the precautions he thought necessary for the security of this kingdom, he and his beloved queen Isabella embarked at Portsmouth,

in Whitsun-week, and, after a tedious and dangerous passage, landed safe in Normandy.

The first step he took upon his landing, was to appoint a conference with Philip the French king, near Andely, where that monarch entered into a friendly expostulation with him upon the grievances of the barons of Guienne, who had been oppressed by John's officers; and some of them having lost their castles, and applied in vain for redress, appealed to Philip as lord-paramount of their fiefs, and received his protection. John appeared moved by Philip's remonstrances, and promised to do them justice: after their conference was ended, he accompanied that monarch to Paris, who entertained him there in the most splendid manner. From thence he repaired to Chinon, where he was visited by the queen-dowager Berengera, to whom he assigned, in lieu of dower, the city of Bayeux, two castles in Anjou, and a yearly pension of one thousand marks.

John was now on the borders of Guienne, with an army sufficient to have reduced the rebels to obedience; but, sunk in the lethargy of love and indolence, instead of marching against them in person, he procured four gentlemen, who had been trained up to active feats of arms, and were in fact genteel bravoes, to repair as his champions to the court of France, and there solemnly challenge the boldest of the malecontents who durst venture to justify their allegations before that court.

The count of la Marche and his brother rejected the challenge with disdain, because those champions were not their peers, and appealed from such determination once more to Philip, who sent a very severe reproof, mixed with menaces, to the king of England, unless he speedily did justice to the complainants. John protested that he would immediately hold a court of barons at Angers, for the redress of the injured; and that if they would immediately come to London, they should be provided with letters of safe-conduct: nevertheless, he still found new pretences to evade his promise.

This year Walter de Lucy, a powerful nobleman in Ireland, under pretence of holding a conference with John de Courcy, earl of Ulster, fell upon him, killed a great number of his men, and pursued him: the earl, in his flight, being invited by Hugh, brother of Walter de Lucy, and lord-justice of Ireland, to take shelter in his castle, was there detained prisoner: but his adherents wasted the lands of Walter and Hugh till the earl was released. However, on Good Friday following, when the earl was going unarmed and barefoot on a pilgrimage to a church, certain of his own servants, who had been bribed by Hugh de Lucy, suddenly seized upon him, and, binding him with strong cords, delivered him into the hands of Hugh, by whom he was sent prisoner into England, where he was committed to the Tower of London. John then bestowed on this Hugh de Lucy the earldom of Ulster and lordship of Connaught, which belonged to John de Courcy, having been conquered by him in the reign of Henry II†. In

* William Marescal, earl of Striguel and Pembroke; and Roger de Lucy.

† It is said, that when the villains, who had thus betrayed their master, applied to Hugh for their reward, he gave them a bark and victuals, though without seamen or pilot, together with the following passport, which they were not to unseal before a certain prescribed time, and which, for its extraordinary

tenor, and to shew the genius and disposition of that age, I shall here insert.

"I, Hugh Lucy, lord-justice of Ireland, servant to my dread sovereign lord king John, to all them who shall read these few lines, greeting.

"Know ye, that these men, whose names are underwritten, some times served sir John de Courcy, late earl of Ulster, but now

In the mean time Constance of Brittany dying at Nantes, her son Arthur had gone from Paris to Rennes, in order to take possession of the duchy, and receive the oaths and homage of all the nobility. At the same time he supported the complaints of the barons of Guienne, and likewise demanded justice with regard to his own rights in the fiefs of Normandy, Anjou, and Guienne. The king of France, being now free from all other avocations, resolved to bestir himself vigorously, as well in behalf of young Arthur as of the injured barons, and actually made preparations to procure from John by force of arms, that satisfaction which he could not obtain by his repeated instances. John, terrified at the prospect of a war, and still more with the claim now revived by Arthur, in order to avert the consequences he so much dreaded, sent to Philip, desiring a conference in the isle of Goulet, near Andely, promising to give him immediate satisfaction; but so low was his credit now fallen, by his repeated falsifications and mean behaviour, that Philip would not accept his promises, nor delay any longer the beginning of hostilities, unless John would deliver up the castles of Tillieres and Boutavant, as pledges of his sincerity. To this disgraceful condition John as disgracefully submitted, and a day was fixed for putting these places into the hands of Philip; but when he appeared before them, the governors shut their gates against him, alleging that they had not received any orders on the subject. Philip, enraged at such a series of collusion, was on the point of entering into John's dominions, when the latter, to gain more time, or perhaps in hopes of making some accommodation with the French monarch, appointed a conference at the before-mentioned place, on the twenty-fifth of March, 1202, where he then appeared. At this interview Philip insisted upon his ceding to Arthur all the provinces that held of France, or giving security that he would stand to the judgment of the French court, to which he had been summoned to appear a few days after the festival of Easter. John's pride was so effectually roused by this proposal, that he rejected it with disdain; the conference breaking up, he summoned Arthur to come and do homage for Brittany.

Immediately after the conference, Philip invaded the territories of John on the continent, and in less than three weeks made himself master of both Tillieres and Boutavant, the two most important frontier garrisons in Normandy; after which he laid siege to Mortamer, Lions, and Gournay: this last was situated on the river Epte, between Andely and Beauvais, and deemed the strongest fort in Normandy*. Several other places also fell into the victor's hands, whose progress was as rapid as his resentment was keen.

While Philip was before Gournay, he conferred the honour of knighthood on young Arthur, who came to him there in his camp; at the same time invested him with the duchies of Brittany, Guienne, and Anjou; and, to crown his benefits, bestowed

his own daughter Mary, yet an infant on the young duke, in marriage.

Arthur now thought it behoved him to do something worthy of the honours conferred on him; and accordingly, having received intelligence that his grand-mother, queen Eleanor, was in the castle of Mirabeau, he requested Philip to furnish him with two hundred knights; and putting himself at their head, without waiting for a greater reinforcement, he entered Poitou, marched directly for the place where queen Eleanor resided, and took it by assault. Young Arthur imagined, if he could make himself master of the dowager's person, he should succeed in all the rest of his enterprize without blows; but the old princess retired into a strong tower, where she continued to defend herself, in hopes of being relieved by her son John. It was not long before she received the agreeable news, that the king of England was approaching to her assistance, with a small but brave army of English and Brabanders. The young duke, elated with the trifling success he had gained in this his first essay in arms, instead of pressing the siege of the castle with vigour, drew out his troop with an intention to give his uncle battle. The event was answerable to the rashness of the resolution; young Arthur quickly saw his followers cut to pieces or dispersed, and himself, with the count of la Marche, Geoffrey de Lusignan, Andrew de Chavigny, the viscount of Chatellerault, and Savory de Mauban, and several other Poitevin barons, who had joined him with their vassals, were taken prisoners, and above two hundred knights. John sent Arthur to Falaise; but the others were treated as rebels, being put in irons and sent to different prisons in England and Normandy.

Had John known how to improve a victory, this would have been of infinite service to his affairs; but fools and villains are generally ruined by their success, and John used his with so much cruelty as rendered him the execration of mankind. He was a coward in his nature, and consequently bloody; he was a stranger to the gentle feelings of humanity, and had no notion of magnanimity; he considered young Arthur as an eternal bar to his ambition, and a perpetual evidence of his treason and usurpation; he thought he could not be truly king till he commenced assassin. With this disposition he repaired to the castle of Falaise, where he had an interview with young Arthur, whom he at first endeavoured to win over to relinquish his claim, but all in vain. He then tried to persuade Hubert de Burgh to put out the young prince's eyes, and render him incapable of propagation; but the honest constable refusing to be the perpetrator of such a barbarous deed, he had recourse to one William de Bray, to dispatch the unhappy captive, promising him the most ample rewards; but that officer answered, that he was a gentleman and not an executioner. Finding that all his officers were possessed of more humanity than himself, he resolved to execute with his own hands the

now a prisoner in the Tower of London; and, for the sake of lucre, betrayed their master into my hands: for which I deem them to be no better than the traitor Judas. How hardly soever I deem of Courcy, I hold them to be a thousand times more damnable traitors: wherefore, let no subject in the king's dominions give them entertainment; but spit in their faces, and suffer them to rove and wander about like Jews."

* This fortress was so strong, both by art and nature, and defended by such a numerous garrison, supplied with great

store of provisions, that there were no hopes of taking it by force; but Philip had recourse to an expedient, which effectually answered his purpose. He broke down the banks of a large pool in the higher ground, and the water rushed down upon the castle with such an impetuous torrent, that the garrison and inhabitants were obliged to consult their safety by a precipitate flight. As soon as the water subsided, Philip took possession of the town.

horrid scheme, which few hearts but his own were capable of forming: with this view he caused the young prince to be removed to the castle of Rouen, to be nearer to himself.

As the most abandoned and profligate are obliged at times to crouch before the awful admonitions of conscience, John, in order to elude their force, made a practice of intoxicating himself with strong liquors: in one of those fits of artificial phrenzy he went in the night to the tower of Rouen, and ordered Arthur to be brought down, and put into the boat where he was. The young prince, apprehending his approaching fate by his uncle's silence, flung himself at his feet, imploring his mercy; but the relentless king, without making any answer, drew his sword and ran him several times through the body, till he had dispatched him; then carrying the corpse some miles down the stream, he ordered it to be thrown into the river Seine, to give some colour to a report which had been previously spread abroad by John's orders, that the prince, thinking to escape out of a window in the tower, which stood over the river, had fallen into it, and was drowned. The body was found soon after, and being known, was privately buried in the abbey-church of St. Mary de Luz.

D'Argentré gives this account of the death of young Arthur. "John, leading his nephew after him like a lamb to the slaughter, brought him from Rouen to Cherbourg, for more privacy and better opportunities of dispatching him. There, late in the evening, followed only by a few, he got on horseback, making the prince ride before him: then, leaving his attendants behind, he went on along the sea-side till he had found a place fit for his purpose, which was a high cliff hanging over the sea: being got there, he spurred his horse up along-side that of Arthur, and with his sword ran the youth several times through the body, who in vain cried aloud for mercy: that done, he pulled him to the ground, and dragging him by the feet to the brink of the precipice, flung him into the sea, not yet being quite dead, nor was the body ever seen afterwards*."

Whichsoever of these different accounts may be the most agreeable to truth, thus much is certain, that the horror of this inhuman fact made John the detestation of all princes, and the object of hatred to his own subjects both in Normandy and England. The people of Brittany especially, incensed at the loss of their darling prince, vowed revenge and eternal enmity against his murderer; and such a spirit of rebellion and mutiny prevailed through all his foreign dominions, that might have made any prince, less indolent and besotted than John, tremble for the consequences; but he seemed regardless of their clamours, and, immediately after the commission of the crime†, he hastened over to England, and was crowned anew by the hands of Hubert, archbishop of Canterbury; thinking, with a weakness equal to his wickedness, that this ceremony would purify him from the more than hellish guilt he had contracted, and so dazzle the eyes of the world as to prevent their beholding him in his true light; but herein he quickly found himself

deceived, and at length became the victim of his own treachery and ambition, through a chain of consequences which he had not the sagacity to foresee.

In consequence of Arthur's death he demanded the administration of Brittany, as guardian of Eleanor, that prince's sister, who was then in his custody: but the Bretons, faithful to the memory of their beloved lord, received the proposal with an honest horror; they moved heaven and earth for revenge and protection; they applied chiefly to the king of France, who readily undertook to espouse their cause. He ordered John to be summoned before his court, to answer the charge exhibited against him; and the latter refusing to obey the citation, was condemned by the unanimous sentence of the peers of France (of which body he, as duke of Normandy, was a member) in the following terms:

"Whereas John, duke of Normandy, forgetting his oath to king Philip, his lord, had murdered his elder brother's son, being an homager of France, and the king's near relation, and perpetrated that crime within the feignory of France; he is therefore adjudged guilty of felony and treason, and to forfeit all his territories, which he held by homage."

Philip supported by arms the sentence of his court: he immediately took the field, and no sooner were his banners unfurled than he found himself joined by almost the whole body of the Bretons. Thus reinforced, he advanced beyond the Loire, when Alençon and several other considerable places on the borders of Normandy were put into his hands by the governors. In short, Philip found the defection among the barons become so general, that they would be able of themselves to throw off the English yoke; and therefore, to save the needless expence of maintaining an army, he dismissed his forces.

John, taking advantage of this, raised a small army of Brabanders, and, when Philip least expected it, took the field, and sat down before Alençon; but Philip soon found means to call together his scattered troops, and marching against John, forced him to an inglorious retreat, which he performed with such precipitation that he left all his tents and baggage behind him. Philip then turned his arms against Normandy, where he met with very little opposition, and reduced the greatest part of it to his obedience. But the progress of his arms were incapable of rousing John, who seemed insensible of his losses: he had lost his innocence in the blood of an innocent, and dreaded reflection more than punishment; he strove to delude himself, and to lose his consciousness in a stream of pleasure‡: in fine, he carried his insensibility so far, that the English barons, who had attended him into Normandy, could no longer contain their indignation, and earnestly besought him to exert himself; but finding he was deaf to all their remonstrances, they returned to England, unable longer to be tame witnesses of the inglorious sloth of their bewitched monarch, for so he was thought to be by the generality of the people, in those times of forcery, magic, and miracles.

* Hist. de Bretagne, p. 209.

† Which was perpetrated on Easter Thursday (April 3), A. D. 1203.

‡ Matthew Paris says, he continued at Caen, feasting magnificently with his queen, and lying in bed with her till noon

every day; and when at any time word was brought him that Philip had taken such a place, he would reply with an apparent unconcern, "Let him go on, I shall soon recover all that he can conquer."

In the month of August, 1203, Philip invested the famous fortress of Chateau Galliard, which was deemed impregnable, and only to be reduced by famine. Father Daniel, in his History of France, has given an elegant and entertaining description of the place and history of the siege, one of the most memorable that ever happened in France, which, as it does not belong properly to English history, I shall not transcribe particularly, but only beg leave to introduce some circumstances of so celebrated a military operation to the English reader in a note*, and content myself with observing, that this place was so nobly defended by one of the family of the Lucys, constable of Chester, that it cost Philip a five months siege: a plain proof of the great difficulties that monarch would have had to encounter in his scheme of re-annexing Normandy to the crown of France, had he been to deal with a less slothful enemy, or had not the spirit of resentment, which John had excited by his cruel

and bloody measures, supplied the place of numerous hosts against himself.

The taking of this important place was followed with prodigious advantages to Philip, as well in point of reputation as of interest. In proportion as Philip rose in the esteem of the world, John sunk, and those who had hitherto shewn themselves most zealous in his cause, were every day dropping off from him. John, conscious of his own demerit, was afraid to trust the government of Normandy to any of his barons, and therefore left it in the hands of Arches Martin and Lupecaire, two Brabandine chiefs, sons of rapine and plunder, and generally detested by the whole province: after this he demolished the walls of Moulénai, Montfort, and Pont de l'Arche; and then ordering some ships to be got ready, he privately stole on board, and, leaving Normandy, landed in England (at Portsmouth) on the sixth of December. Here he behaved in a very unpopular manner, taking from

* Chateau Galliard was built upon the borders of the Seine, near Andely, by Richard; it was by him designed to serve as the bulwark of Normandy on that side; and so great an opinion had he of its strength, that he termed it Castle Galliard, as if defying, with pleasurable tranquillity, all the efforts of France. Philip found difficulties in the attempt, which required a genius persevering as his was to surmount. A communication, by a strong pallisade, ran between Castle Galliard and the isle of Andely, whereon stood a well-fortified tower, called the Castle of the Isle. It was this last-named tower that Philip began to besiege; but the pallisade hindering the approach of his vessels, and the besieged having a free communication with the Vexin, he found himself under a necessity of bringing down the river a great number of flat-bottomed boats, which he had built on purpose. By their assistance he built a bridge quite across the river, and mooring four of his largest vessels just in the middle of the bridge, he reared upon that foundation, though with a prodigious labour and loss of men, two wooden towers that entirely commanded the Castle of the Isle. By means of this bridge he transported great part of his army to the Vexin, where his cavalry scoured the country, and cut off all its communication with the castles. He then brought over machines, and began to batter the place in three different parts. Roger de Lucy, constable of Chester, was then governor of Castle Galliard, and acted with a courage equal to his high trust. John, ever since his unsuccessful attempt upon Alençon, had kept the field at the head of his English and Brabanders, and had under him William Mareschall, earl of Pembroke, whose inviolable loyalty still kept him attached to his master's fortunes. This nobleman was one of the best commanders of the age; and a plan was formed for the relief of the castles, which discovers how completely John and his generals were masters of the art of war. Below the castles Richard had built flat-bottomed vessels, to the number of seventy, proper for navigating that river, even where it was most shallow. On board of these vessels John embarked three thousand of his Flemish mercenaries, and two of his best seamen, with a famous pirate, named Alain, and his crew. Their orders were, that they should row up the river so as to reach the bridge, on which the enemy's towers were built, by a certain time: that when they reached it, they should begin to assault it, and, in the mean time, endeavour to make way for a number of small boats, laden with provisions, which followed the main fleet, and which were designed to revictual the castles.

This operation being settled, the earl of Pembroke put himself at the head of seven thousand three hundred men, all picked troops, with an intention to assault the enemy's camp, as nearly as could be computed, just at the time when the fleet should begin the attack of the bridge; the whole to be supported by king John himself, at the head of his remaining forces. The earl's detachment marched, and the fleet rowed in the dead of night, without any military noise or music; but a strong tide setting, and a fresh breeze springing full in the teeth of the marines, the land forces reached their destined place long before the others could come up. In vain did the earl wait for them, that they might together begin the assault. The night being far spent, he began it by himself, upon the out-quarters of the camp, where the sutlers and other retainers to the army lay: those being suddenly put to the sword, a panic seized the camp itself, and the French fled in such numbers over their bridge, that it broke down, and many were drowned; some of their generals, however, made head with the remaining troops, and, after light-

ing fires all over their camp, the English, now busied in plundering, were partly killed and partly dispersed.

The French historian, who lived in those days, owns, that if it had not been for the accident of the fleet's being retarded, the French army must that day have been utterly ruined. It was break of day before the fleet could come up: by this time the bridge was repaired, and Philip had leisure to draw out his army on both sides of the river. The ships, however, advanced, and the marines behaved with great intrepidity amidst all the showers of darts and other missiles sent from both sides of the river: at last the assault of the bridge itself began, from the two foremost vessels, with repeated shocks: some of the most forward marines fixed their grappling-irons upon the bridge, and with hatchets, levers, and other instruments, endeavoured to cut the cables and joists. They were supported by a general discharge of missiles upon the enemy from the whole fleet, as well as from the Castle of the Isle: but the conflict was unequal; those who defended the bridge were well provided to oppose the assailants; they plied them with great stones, fire-pots, and other combustibles, with which the towers upon the bridge were stored; and having firm footing, they had great advantage both in aiming their blows and missiles. Notwithstanding all these discouragements, the assailants would have carried their point, had not two beams, of prodigious length and thickness, been directed from the tower of the bridge so as to light full upon the two foremost vessels, which had fastened on the bridge, and to sink them. Upon this the assailants lost all hopes of success, and their commanders made a signal for a retreat, in which they were harassed by some light well-armed vessels, sent in pursuit of them by Philip. Soon after, the king of France, by means of one Gaubert, a native of Mans, consumed the pallisades of the Castle of the Isle, which preserved the communication with Castle Galliard: this person being an expert swimmer, and endowed with a peculiar faculty of retaining his breath a long time under water, tied certain pots, filled with wild-fire, to the beams of the pallisades, which were in a short time burnt down. Upon this, Philip embarked a number of soldiers in all his boats, and, the communication with Castle Galliard and the main-land being now cut off, made himself master of the Castle of the Isle. He then placed a strong garrison in this castle, in which he found a body of Brabanders, to whom and their chief (one Cadoc) he allowed a thousand livres per diem. But the resolution of the governor of Castle Galliard rendering all his attempts upon it fruitless, he turned the siege into a blockade, and, with part of his forces, took Radpont, an important castle, about ten miles from Rouen.

In time, by incredible efforts, and encouraging his men by his own example, he made himself master of the outer tower of the place; but the garrison in the castle, now reduced to only two hundred men, retired to the other towers. At length, one of these was carried by the courage of Peter Bagis, so called from his snub-nose, who, with a few followers, got in at a window, neglected by the besieged: and making themselves masters of the place, gave an opportunity for the king of France to advance against the main tower with all his battering engines. It was not long before Lucy, finding himself without a day's provisions for the small garrison that was left him, courageously resolved to cut his way through the enemy, at the head of his followers; but being overpowered, he was taken prisoner. Philip, however, in admiration of his fidelity and courage, gave him very honourable entertainment and caressed him with the highest marks of favour.

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his barons and nobility (whom he accused of not supplying him with sufficient sums to make head against the power of France) the seventh part of their yearly rents.

On the second of January, 1204, a parliament, or great council, was held at Oxford, wherein an aid was granted of two marks and an half for every knight's fee, and proportionably for ecclesiastics, for the purposes of making head against the enemy; but the dastardly king, instead of exerting himself in a manner suitable to his dignity and the expectations of his subjects, had recourse only to the mean and fallacious expedient of negotiation.

The imprudence of his measures were every day more conspicuous in the losses he sustained. Lué-*paire*, one of the Brabantine captains, to whom he had entrusted the government of *Falaïse*, delivered that place up to Philip, and, with all his troops enlisted in that monarch's service. The taking of *Falaïse* was followed by the surrender of almost all the Lower Normandy, except *Vernuël*, *Arques*, and *Rouen*. These three places had entered into a league for their mutual defence, and engaged that, in case they should be obliged to submit, none of them should capitulate without including the others in the treaty.

The first of these that Philip besieged was *Rouen*, the capital of the duchy, fortified with a double wall and a triple ditch, exceeding populous, and too large to be entirely surrounded by an army. The inhabitants had a settled aversion to the French government, and the populace had murdered some Frenchmen that were in the town on Philip's appearing before the place; and when summoned by him to surrender, they declared their resolution of holding out to the last extremity, and immediately sent to England for assistance. It is to be observed, that John about the latter end of March, had sent the archbishop of Canterbury, with the bishops of *Ely* and *Norwich*, and the earls of *Leicester* and *Pembroke*, on an embassy to the court of France, to sue for peace; but Philip insisting that Arthur's sister *Eleanor* should be given in marriage to his younger son, with all the dominions held of the crown of France, the negotiation proved unsuccessful, and John from that time gave all Normandy for lost: therefore, when the deputies of *Rouen* came to him for succour, he flatly refused to engage in their defence, and sent them back, telling them to make the best terms they could for themselves. When the messengers returned with this answer, despair seized upon the besieged; and Philip, having made himself master of the *Barbican*, a fort that covered the bridge over the *Seine*, and by which they had hitherto kept open a communication with the adjacent country for a supply of provisions, they came to an agreement with the king of France, on the first of June, to deliver up the city, if peace was not made or the siege raised by the end of the month: by another article, those of *Arques* and *Vernuël* were to have the benefit of this capitulation, if they chose it, and their privileges likewise confirmed: and no succour arriving in the mean time, they were all three surrendered at the expiration of the term, agreeable to the articles. Thus was Normandy re-united to the crown of France, after having been two hundred and ninety-two years dismembered from it; and Philip soon after completed the conquest of *Anjou*, *Maine*, and *Touraine*, except the castle of *Chinon*, which was

bravely defended by *Hubert de Burgh*, till Midsummer the year following, when, after a blockade and siege of near twelve months, he was taken in the place, having been first dangerously wounded. Of all that John's ancestors enjoyed in France, nothing remained but the duchy of *Guienne*, which Philip did not think fit to invade.

The year 1204 was distinguished by the death of *Eleanor*, the elder queen-dowager of England, widow of *Henry II.* and mother of John, in a very advanced age.

All this time John seemed utterly insensible of the damage and disgrace which he incurred by the rapid progress of the French king's arms. He gave himself wholly up to the enjoyment of his young wife, and seemed to renounce all active measures, except that of confiscating the English estates of the Norman barons who had joined Philip against him. At length, however, he seemed to wake as out of a profound lethargy: the *Poitevins* having some reasons of disgust against Philip, had applied to John for his assistance, promising to stand by him with their lives and fortunes, and to hazard every thing in order to reinstate him in the possession of those provinces he had lost. John imagined all the other provinces were of the same mind, and in this persuasion thought he could not, with any justice to himself, let slip so fair an opportunity of retrieving his fame and property. Accordingly he summoned all the barons to meet him at *Portsmouth*, where he had ordered his fleet to be ready in order to cross over to the continent, and put himself at the head of his *Poitevin* subjects; but just as he was on the point of embarking, the archbishop of Canterbury, and *William Mareschall*, earl of *Pembroke*, threw themselves at his feet, beseeching him to desist from this expedition, and not venture his person among such a fickle people as the *Poitevins*, and in a country where he had no one place of strength to retire to in case of necessity: moreover, there was at this time a general expectation all over England, of a descent to be made here by the duke of *Louvain* and the count of *Boulogne*, supported by all the power of the French king, pursuant to an engagement entered into by the parties for this purpose. This, with the imminent danger to which the king visibly hazarded his own life, and the nation's honour, in his proposed expedition, and the loss of his kingdom should he be absent at the time of an invasion, were urged to divert him from his enterprize. These remonstrances, however, made little impression upon John's obstinate temper, and the more they pressed his stay, the more resolute he seemed to go. At length they talked in a higher strain, and plainly told him, that if he would not yield to their entreaties, they would detain him by force rather than a whole people should be ruined by his ill-advised rashness and inflexibility. Upon this the king began to remit something of his haughtiness, and asked the archbishop what he thought most advantageous for his interest and reputation, seeing that he had engaged his royal word to the *Poitevins* to come to their assistance in person, and that they would consequently expect him to fulfil his engagements? It was then agreed that he should send over succours, under the command of *William Longuespée*, earl of *Salisbury*, his natural brother, and some other noblemen to assist him. In consequence of this resolution, John dismissed the

the greatest part of his army and fleet, who cursed the authors of this advice, the nobles and knights having been put to a great charge to equip themselves and vassals for this expedition.

John now returned to Winchester; but repenting him soon of having followed the cautious advice of the archbishop and earl, he vented his indignation upon the whole body of the nobility, whom he accused of want of fidelity, in having persuaded him to neglect the recovery of his lost dominions, and on this pretence extorted from them large sums of money, by way of scutage, or fine, for commutation of service; an act of imposition and oppression which did not go long unpunished, as the sequel will shew. Presently after he hired a number of ships, with which he put to sea with a small retinue, on the fifteenth of July, 1205: but his mind was more changeable and inconstant than the element on which he sailed; he had not been out above two days, when he tacked about, and landed in Studland bay, on the Dorsetshire coast.

In the following year, 1206, John actually went over to the continent, with a numerous army, at the instances of two noblemen of great power in Poitou, who gave him the most positive assurances that they would assist him with all their forces. These were Guy de Thouars and Aumery, viscount of Thouars, his brother, who were become jealous of the growing power of the French monarch, and earnestly wished to see John re-established in the dominions he had lost, so as to form a ballance against the overweening authority of Philip.

Immediately on John's arrival at Rochelle, he was joined by the two brothers and their forces; but instead of reducing Brittany, he marched directly for Montauban, near Quercy, belonging to his brother-in-law, the count of Thoulouse, who had sided with Philip, and, investing the place, took it by assault; on which occasion the English are said to have behaved with astonishing valour, which was amply rewarded by an immense booty, and a vast number of prisoners of high quality.

Philip, being informed of John's arrival at Rochelle, directed his march into Poitou, and advanced to give him battle; but John, instead of hazarding an engagement, sent deputies with proposals of peace, and to desire a conference. Accordingly it was agreed to have an interview the next day, at a place appointed; but, instead of repairing thither, John, with his usual meanness and pusillanimity, seized the opportunity of stealing off with his army by night, and retired to Rochelle, from whence he soon after embarked for England. Notwithstanding this shameful retreat, and the affront he had put upon the French monarch, he found means to engage the pope so heartily in his interests, that by his intercession Philip agreed to a truce for two years, to commence on the thirteenth of October.

How little concern soever John shewed for the public good or his own reputation, he was always attentive to his private interest. Entirely regardless of the means, he considered only the gratification of his extravagant pleasures: accordingly he never failed to make every expedition to the continent a pretence for extorting money from his subjects. Thus, in the month of February, 1207, immedi-

ately after his return from Poitou, he convoked a general council of his prelates and nobility, in which he demanded a thirteenth of all rents and moveables throughout the realm, for the defence of the nation and the recovery of his foreign dominions. The laity made no objection to his demand, and their example was followed by many of the clergy; but Geoffrey, archbishop of York, stood forth in vigorous opposition to such arbitrary proceedings, and not only flatly refused to pay his proportion, but even threatened with excommunication all persons who should collect this tax upon the possessions of the clergy in his diocese. This was the first breathing of that spirit of liberty, which afterwards put the nation upon exerting its efforts to guard against such stretches of the royal prerogative in future. Geoffrey, after having thrown in his caveat as above, thought fit to leave the kingdom.

But, in spite of the strong opposition made by the archbishop of York, the tax continued to be levied; and, what was more, John, as a punishment to that prelate for his boldness, caused all his goods to be confiscated. This, however, did not go down so easily with the clergy as the king had reason to expect from the general abjectness of their behaviour. The metropolitans clamoured so violently against this arbitrary proceeding, in which they thought themselves all interested, and made such spirited remonstrances on the occasion, that John, to appease the minds of the people, desisted from his purpose.

The death of Hubert, archbishop of Canterbury, which happened towards the close of the preceding year, gave birth to a great ecclesiastical event, which demands a place here on account of its intimate connection with civil affairs. The very night of Hubert's decease, the younger monks of Christchurch assembled together in private, and elected Reginald, their sub-prior, for his successor, without imparting their choice to the king or the bishops suffragan of the diocese. The election being made amongst themselves, *Te Deum* was sung, and Reginald was installed in the archiepiscopal seat: after this, enjoining him secrecy, they dispatched him forthwith to the court of Rome, attended by twelve of their brethren, to make the pope acquainted with his election, and to desire confirmation of the same from his holiness: but Innocent, for reasons well known to himself, refused to confirm him, until he should be better informed of the nature of this transaction.

The monks, being informed of this, applied to John, for leave to chuse John Grey, bishop of Norwich, who was accordingly elected in all the usual forms, and, having been approved by the king, was put in possession of the temporalities of the see; and a deputation of twelve was sent from the body of Christchurch to solicit the pope's assent to this inauguration. But Innocent, glad of an opportunity to exalt the power of the papal chair, and to mortify John, who had been wanting in some part of that abject submission which those heads of the Christian church, as the Romish bishops style themselves, claim as of divine right, he declared both elections void; but at the same time allowed that the convent had an undoubted power to elect whom they pleased, though they had been somewhat irregular in their late proceedings: at the same time

* This tax seems to have been a talliage, being assessed by the justiciaries, and levied upon all towns as well as the tenants of the barons and those of the clergy. Pat. 8 & 9 Johan. m. 3.

commanding them, by his apostolical authority, to proceed to a new choice, and recommending cardinal Stephen Langton, an Englishman, and a churchman of great eminence, as the most proper person to fill the vacant see.

The monks, startled at this arbitrary exertion of authority in the Roman pontiff, at first made some objection against complying with the mandate, insisting that the king had a right to be consulted in the choice of an archbishop: but being told, that they themselves had set aside that right by secretly, and of their own authority, electing Reginald, they had no reply to make, and, therefore, all of them, except one Elias de Brainfield, submitted to the pope's nomination.

Innocent was sufficiently acquainted with John's disposition to suspect that he would not be pleased with Langton's election, as it was an unprecedented and violent encroachment on the privilege of the crown; accordingly, in order to mollify him, and induce him the more calmly to overlook this insult, the crafty pontiff wrote him a letter, together with a present of four stone rings, upon which he made a ridiculous comment, stuffed with emblematical allusions and visionary fancies, too foolish and impertinent for history to transcribe.

Such idle stuff was not able to appease John's resentment, raised by this insult of his authority. This Innocent foresaw, and therefore accompanied his first letter with one in a more intelligible and courtly style, exhorting him in the mildest manner to own Langton for archbishop of Canterbury, upon whose virtues and talents, both ecclesiastical and civil, he largely expatiated: but, that nothing might be left undone to secure his favourite point, he at the same time wrote to the monks of St. Augustin (or Christ-church) and the suffragan bishops of Canterbury, to receive the cardinal for their metropolitan, under pain of excommunication.

John, being informed of these transactions, flew into the most outrageous passion; he charged the monks, who had been concerned in the late election, with treason, and with betraying their trust, and resolved to be revenged on them in the most exemplary manner: he sent two knights, Fulk de Cantalupe and Henry de Cornhill, to Canterbury, with orders to drive all the monks from thence, and to seize their estates. The messengers executed their commission with such rigorous exactitude, that the brotherhood, fearing the most fatal effects from any appearance of refractoriness, departed the kingdom, and went over to Flanders.

The pope, alarmed at this spirited behaviour in John, fell to the arts of wheedling him, by putting him in mind of the differences of the crown with Becket, and the fatal consequences that had resulted therefrom. This kind of language was ill suited to bring over a prince of John's fiery temper: he wrote back to the pope, that he looked upon his holiness's proceedings as an insult upon his royal dignity; that his own kingdom could furnish him with a sufficient number of churchmen, eminent for their learning and piety, without suffering those of a foreign seminary to be intruded upon him; that he was determined to maintain the election of the bishop of Norwich to the last; and concluded with telling the pope, that in case he refused to do him justice in this particular, he would forbid all commerce between his subjects and those of the court of Rome: nor

would he suffer any appeals to be carried out of the kingdom.

Upon this, Innocent, with great seeming reluctance, commanded the bishops of London, Ely, and Worcester to expostulate with the king; and, in case he should still continue contumacious, to threaten him with laying his kingdom under an interdict. The three prelates, coming to the king to deliver this message, had scarcely uttered the word, than John, flying into a vehement passion, swore by God's teeth (his usual oath), that if they, or any of their cloth, should presume to interdict his dominions, he would drive all the bishops and clergy headlong out of the realm, and seize their estates; adding, that if the pope should send any retainer of the court of Rome into England, he would slit his nose and cut off his ears, and send him back to Rome a spectacle to all other nations.

Matters being now brought to a crisis, the kingdom was actually interdicted, and the prelates, who executed the sentence, to avoid the king's vengeance, withdrew from the kingdom, as did several others.

A stop was immediately put to divine service, and the administration of all the sacraments, except baptism and the eucharist in articulo mortis; the churches were shut up, and the dead buried in ditches and highways, without any funeral solemnity. Notwithstanding this interdict, the Cistercian order continued to perform divine service publicly; the censure was also disregarded by the bishops of Winchester and Norwich, some of the parochial clergy still officiated, and several learned divines openly preached against the injustice of the pope's proceedings.

John was not so much offended with this censure as he was apprehensive of being excommunicated by name, and seeing his subjects absolved from their oaths of duty and allegiance. To prevent the ill effects of these measures, whenever they should be taken, he sent officers, with an armed force, to the most considerable of his nobility to demand of them their sons, or nearest relations, as hostages for their fidelity in any future troublesome times. This demand was complied with by the generality; but when John's messengers came with the same requisition to William de Brause, a nobleman of great power in the Marches of Wales, his lady, too forwardly and incautiously answered, "That she never would trust her sons in the power of a man, who had so inhumanly murdered his own nephew." Her husband, however, gave a more respectful answer, but would send no hostages; and John was so provoked with the stinging reproach of the lady, that he sent a body of troops to seize William; but the latter, having had timely notice of their errand, escaped into Ireland with all his family.

John was now degenerated into an odious tyrant; he seemed to take delight in mortifying and harassing his subjects, without any apparent necessity. The clergy in particular felt the severest effects of his savage disposition: he seized upon their temporalities; he drove them out of their monasteries; nay, to such a pitch did he carry his inveterate hatred to them, that if any one was ever brought before him for having robbed or killed a monk, he commanded him to be loosed forthwith, saying, "That fellow is my friend, and has only revenged my cause on my enemies." There may be some grounds

grounds for excusing his animosity against this body of his subjects, on whose account both himself and his people were such sufferers; but nothing can be offered in alleviation of his treatment to the laity, who had not offended him, and who now found themselves cruelly oppressed by a proclamation prohibiting the diversions of hawking, hunting, and fowling: he likewise ordered all the mounds of his forests to be levelled, that his deer might have liberty to range at large, which they did to the irreparable damage of the industrious husbandman, consuming the corn and destroying the fruits in the neighbourhood. Nor did he confine his tyrannical proceedings to his subjects only, his own family had in him a severe scourge. Jealousy and distaste had succeeded in his heart to the unmanly fondness he had shewn to his wife; and the wanton dalliances in which he had so ingloriously passed his time with her, were now converted to rude suspicions, and still more harsh reproaches: in some of his furious sallies he could hardly refrain from committing a desperate deed on this late idol of his soul. Many, however, whom he suspected, or affected to suspect, of sharing her favours, were put to death without trial or enquiry; and the queen herself was shut up a close prisoner, though she had already borne him a son*, and was at this time big with child; but her confinement lasted no longer than one year.

These were the principal transactions that distinguished part of the year 1207 and the year 1208.

Whilst the kingdom was in this distracted situation, Henry, duke of Saxony, brother of the emperor Otho, came to visit John, in the beginning of the year 1209. He was commissioned to press the king of England earnestly, in the emperor's name, to compromise his differences with the pope, to which Henry added his own remonstrances; but they all proved ineffectual. However, John rewarded duke Henry for his good offices with a pension of a thousand marks per annum to himself, and at the same time granted him a considerable sum of money for the use of his brother, who had sent to request the same as a loan; though the state of John's finances at this time was little able to support such liberality: and therefore his subjects, who knew that they must be the sufferers whenever his coffers stood in need of being replenished, were daily more loud in their murmurs against his profusion; and an opposition began by degrees to be formed, which at length produced those excellent regulations, which form the basis of the English constitution, and secured those inestimable rights and privileges, which distinguish this island above every other nation on the face of the earth.

The king of Scotland had frequently made complaints to John concerning a fortress that had been erected on the Scottish side of the Tweed, by his orders: and the Scots, being masters of Berwick, which was the key or pass to England, had repeatedly committed depredations in the county of Northumberland, by way of retaliation for what they thought an insult and oppression offered them by the English. At this time, therefore, John, who daily expected the pope to proceed to extremities, resolved to adjust all disputes with the

Scottish monarch, and thereby, in case of an insurrection in England, prevent the rebels from receiving any assistance from that quarter. With this view some proposals for an accommodation were made by the English court. But these being rejected by the Scots, John advanced into Northumberland about the middle of the spring, and William, on his side, took the field; but neither party seeming fond of coming to an engagement, a treaty was set on foot at Northampton castle, which ended in a peace, by which John consented to demolish the fort built on the Scottish territories, and William, on his part, put a stop to the building of the castle of Berwick, as also to pay the king of England fifteen thousand marks of silver, and to give his two daughters, Margaret and Isabel, in marriage to John's two sons, Henry and Richard, as soon as they should be of a proper age for entering into the nuptial state.

Matters being thus settled, John set out on his return southward, about the latter end of June, and soon after obliged all his vassals and freeholders, with their sons of the age of twelve years and upwards, to do him homage; and this was so universally complied with, that the Welsh came to him at Woodstock to pay theirs, which they had never done, at least in so public a manner, before.

The cruel and tyrannical measures which John had lately adopted, would have been highly imprudent, even in the most settled times; but at this juncture they seemed to be the effect of absolute madness and stupidity, and, as if he thought that his character was not already sufficiently odious, he added another stain, which no pretext could palliate. A priest of Oxford happening to kill a woman by mere accident, and finding how strong the spirit of resentment ran against the clergy, he did not dare to stand trial, which in all likelihood would have acquitted him, but instantly fled out of the kingdom. John, who both hated and dreaded the clergy, gladly embraced this opportunity of wreaking his vengeance upon the order, and, in contempt of all law and justice, ordered three innocent clergymen, who had been seized on suspicion of being concerned in this affair, to be hung up without any form of trial. This barbarous and arbitrary act so incensed the students of Oxford, that no less than three thousand of them quitted that university, which was now almost totally abandoned, though it was before more eminent than perhaps any other in the world.

In order, however, to ward off the fatal bolt of excommunication which he expected every moment to see launched against his head, he sent the abbot of Beaulieu, a convent of Cistercians which he had lately founded in Hampshire, on an embassy to Rome, to effect, if possible, a reconciliation with that see. Hereupon the pope ordered cardinal Langton to repair to England, who, having received a safe-conduct from John, arrived at Dover, where Geoffrey Fitz Peters, the justiciary, together with some other noblemen, were sent to receive him, and make him proposals in the king's name: but these not being to the haughty prelate's mind, he rejected them with that insolence inherent to churchmen possessed of any degree of power, and quitted the kingdom, without deigning to hold an-

* Who was born at Winchester, on the first of October, 1207, and baptised by the name of Henry: he afterwards succeeded his father on the throne. While the queen was in

confinement, she was brought to-bed of another son, called Richard.

other conference. John's opposition to the fee of Rome had been truly laudable, if its principles had been virtuous; but in this dispute he seems rather to have been incensed at the affront put upon his personal pride, than at the insolent encroachment of the papacy upon the rights of his crown, as may appear from his entering into a negotiation at this time with the exiled bishops*, who insisting upon being restored to their sees and temporalities, and to have one hundred pounds sterling each, given them by way of indemnification, John absolutely refused to make restitution of what he had taken; upon which the negotiation broke off.

Mean while the pope, perceiving that the interdict, which had now continued above a year, did not answer his expectations, resolved at length to pronounce sentence of excommunication upon John's person, and, by the advice of his cardinals, ordered the same to be denounced by the three exiled bishops; but these prelates, not daring to trust their persons in England on such an errand, contented themselves with sending over copies of it to the clergy of England, to be by them promulgated every Sunday and holiday, through all the churches and conventual societies in this kingdom: none, however, was found hardy enough to proclaim what the bishop of Rome had so insolently pronounced.

Nevertheless, this matter, though stifled was no secret; it was almost generally known, that the pope had pronounced such a sentence†, and this general knowledge began to produce disagreeable effects. Geoffrey, archdeacon of Norwich, and one of the barons of the Exchequer, not being satisfied with regard to the safety of beneficed persons acting by commission under an excommunicated prince, privately withdrew from the functions of his post. This mark of deference to the papal authority was so offensive to John, that he ordered the archdeacon to be clapped in irons, and to have a heavy steel cope‡ put upon his head, the weight of which soon occasioned his death.

This instance of severity was not capable of preventing Hugh de Wells, lately elected bishop of Lincoln, from wounding the king in a more sensible part; for, having obtained leave to be consecrated by the archbishop of Rouen, instead of going to Normandy, went directly to Rome, where he received consecration at the hands of Stephen Langton. Had he been in John's power, that prince would doubtless have no more spared him, than he had done archdeacon Geoffrey; but as it was, he contented himself with seizing his revenues; and as Hugh was also chancellor, the king delivered the great-seal to Walter de Grey.

The excommunication made little or no impression on the king's mind: this year he held his Christmas at Windsor, where he was attended by all the great men of the kingdom, notwithstanding his being under ecclesiastical censure. About this time he laid a most grievous tax upon the people, under pretence of recovering the dominions he had lost in Normandy: but none of his subjects suffered equally with the Jews, who were oppressed with unexampled cruelty§.

By means of the extraordinary aids he raised on this occasion, he got together a great army, with which he embarked in Wales for Ireland, and landed safely at Dublin, on the eighth of June, 1210, and found his affairs there had fallen into great disorder. The native Irish, driven to despair by the rapacious and arbitrary government of Lucy, the justiciary, had risen in great numbers, and had surprised and cut off three hundred of the citizens of Dublin, who had been mostly sent from Bristol to people that country. The appearance of John in that country, with so numerous an army, struck a panic into the insurgents; and soon after his arrival he was met by above twenty Irish lords, who came to offer him their voluntary submission and allegiance; but as Cathol, the king of Connaught, still refused to come in, John marched against that prince, and reduced his whole country. He next advanced against Lucy, earl of Ulster, and his brother Walter, who had protected William de Brause, when he fled with his family into Ireland§: their castles were soon reduced, and themselves compelled to quit the kingdom. William escaped into France; but his wife and eldest son fell into John's hands, who, with an unmanly resentment, sent them loaded with irons to England, where they were, by his orders, barbarously starved to death in the castle of Windsor.

John having thus settled his military operations in Ireland to his satisfaction, next turned his thoughts to civil matters, and endeavoured to establish a scheme of policy in that kingdom upon the same footing as in England: for this purpose he ordered sterling money, according to the English standard, to be struck at Dublin; he issued a proclamation to make that money current in both kingdoms; he appointed sheriffs; he divided the nation into counties; he ordered a fair copy of the English laws to be engrossed, which he deposited in the Exchequer at Dublin; he commanded the observance of English laws and customs, and erected in Dublin courts of law upon the same plan, and tied down to the same proceedings, as those in England.

Before John left Ireland, he appointed John de Grey, bishop of Norwich, his justiciary there, and William Mareschall, earl of Pembroke, his lieutenant. After this he turned his arms against Reginald, king of the Isles, who possessed the Isle of Man and the Western Islands (now of Scotland.) This petty prince he soon subdued, took the Isle of Man, and obliged Reginald to give hostages to hold his crown of him.

This expedition being finished, John returned to England, in the beginning of the year 1211, where it was expected he would immediately disband his army; but, to have a pretext to keep it still on foot, he picked a quarrel with Llewellyn, prince of Wales; and as money was wanting for the maintenance of his troops, he, of his own authority, imposed a tax of one hundred thousand marks upon the estates of the ecclesiastics. The order of the White Monks alone were obliged to pay forty thousand pounds in silver. Mat. Paris makes the whole aid levied on this occasion to amount to one

* Of London, Ely, Worcester, and Hereford, who, upon the laying on of the interdict, had retired to France.

† It was actually published in France. Rapin.

‡ Part of the priestly vestments; being an hood made of satin or other rich stuff, curiously embroidered with gold and other ornaments.

§ One Bristol Jew in particular, who was immensely rich, had a tooth every day drawn out of his head, by order of the king, till he should pay ten thousand marks: he endured to have all drawn out but one, and then he paid the money.

§ See page 330.

dred thousand pounds sterling; an incredible sum for those days! afterwards he marched against the Welsh, and compelled them to deliver twenty-eight hostages.

John having quitted that country, hastened back to England, to have an interview with Pandulphus, the pope's legate, who had been sent over by Innocent at the king's request, to accommodate all differences between the regal and pontifical power. With him was joined one Durand, a Knight Templar, a man of great parts and address. The meeting was held at Northampton, on

the thirtieth of August: it was easily agreed that Langton should be received as archbishop of Canterbury, and that the exiled bishops and clergy might return in peace, and be all restored to their respective dignities and revenues; but the nuncio insisting on a full restitution of all that had been seized of their rents, John, elated with his late success, and seeing that every thing had bowed before him in Ireland, Wales, and Scotland, absolutely rejected that condition, and the nuncio returned to France, having first publicly declared John excommunicate*. The king, however, was

not

* Though we would, above all things, avoid the imputation of prolixity, that clog to narration, yet we should hold ourselves culpable were we to omit aught that could minister either to the instruction or entertainment of the rational reader. The discourse which passed between the king and the legate, at this interview, is extremely instructive as well as entertaining, and gives us a lively picture of pontifical insolence, and a true state of the great controversy which then subsisted between the pope and the king. We find it related in a very punctual manner by the authors of the *Annals of Waverly* and *Margam*; and as our countryman, Mr. Collier, in his *Ecclesiastical History*, has rendered it in an elegant and pleasing manner, though with a strict adherence to the fact, we shall give the whole in his words: "The nuncios being brought into the royal presence, told the king, They had undertaken a long voyage at his request, and desired to know his highness's pleasure upon the premises.—The king answered, He did not know what their desire was.—They answered, That they should move him for nothing more than common right, that is, that his highness would swear to make satisfaction to holy church, to return all the effects he had forcibly taken away from the ecclesiastics; and that Stephen, archbishop of Canterbury, the other prelates beyond sea, and all their friends and dependents, might have the liberty to return and live peaceably in England.—Upon this, the king, looking very sternly, told them, That he would discover himself wholly to them: you may oblige me, says he, to swear the returning whatever has been seized, and I'll satisfy you; but as for that Stephen, he can never be so secured by a safe-conduct, but that I'll hang him as soon as he sets foot upon my dominions.—The nuncios, surprized at this declaration, put the king in mind that he moved for their coming over, referred the cause to their decision, and that, if it should appear to them that he had failed in any just regards to his holy father the pope, or done any wrong to the church, he was ready to stand to their award, to make reparation, and submit to any penance enjoined.—You say well, says the king; I grant his holiness is my spiritual father, that he succeeds to St. Peter's authority, and that I ought to obey him in spiritual matters; but that this submission should reach so far as to affect my temporal jurisdiction and lessen my prerogative, I can by no means allow." The king proceeds to report how the monks of Canterbury above-mentioned, had perjured themselves, and betrayed him; and that the pope had abetted their unaccountable practice. His highness urged farther, that his predecessors used to bestow archbishoprics, bishoprics, and abbeys, in their bed-chamber: for instance, king Edward the Confessor, of glorious memory, gave the bishopric of Worcester to Wulfstan; and that, when William the Conqueror attempted to deprive him of his see, because he did not understand French, St. Wulfstan refused to return him the pastoral staff, because he had not received it from him, but carried it to king Edward's tomb, where it stuck so fast that nobody could pull it away but that holy bishop. To this he added, that, within his own memory, his father, king Henry, had given the archbishopric of Canterbury to St. Thomas.—Pandulphus replied, That his distinction with respect to his holiness's authority was unsound, and that he had clogged it with too much limitation; that his highness ought to obey the pope in temporals as well as spirituals: "For (says he) did not you swear obedience to the pope, and to maintain the rights of the church, at your coronation?" As to the agreement between the king and the monks of Christ-church, and their breaking the articles of Rome, the nuncio set forth, that the pope had examined that matter to the bottom; that when his holiness had voided the two first elections, and commanded the proxies upon a third, the fourteen monks who had promised the king to chuse none but the bishop of Norwich, cast themselves at the pope's feet, and acquainted him with the tie upon their consciences: the pope chid them for taking an oath to a temporal prince, without leave from their spiritual superiors; telling them withal, they had sworn to do that which nobody living, excepting himself, had power to per-

form; and, after this reprimand, he absolved them and enjoined them penance. "Being thus at liberty, says the nuncio, they unanimously made choice of Langton, who was presented to your highness before his confirmation; but you were pleased to reject him, without any reason for your refusal. As for your instances from Edward the Confessor and William the Conqueror, I answer, continues the nuncio, that you are no successor of St. Edward, neither do you resemble his qualities; for he took holy church in his protection, whereas you do nothing but disturb it: indeed, if we consider your arbitrary and oppressive administration, you may be said to succeed William the Bastard, as you call him; for both you and your Norman predecessors have made it their business to strip the church of her privileges. As for your highness's authority from the case of archbishop Becket, I answer, that your father, king Henry, only recommended him to the electors, and did by no means pretend to put him into the see by dint of prerogative; and, though the matter was thus gently carried, the archbishop after repented his accepting the king's interest, and resigned the archbishopric till the pope gave him a dispensation. After the martyrdom of this archbishop, your father, Henry, granted the monks a charter to chuse their metropolitan, exclusive of the bishops of the province."—The king replied, That charter was only binding during his father's life, and was not to be construed to the prejudice of his successors.—Pandulphus told the king, That he had sworn to maintain the church in all the privileges acknowledged or granted by his predecessors.—After some pause, the king made the nuncio a proposal, and offered, that, on condition Langton would resign his archbishopric, the pope might dispose of that preferment, and that he would accept of any person of his holiness's nomination; and that, possibly after that, he might, at the pope's request, bestow a bishopric on Langton.—"It is not the custom of holy church, says Pandulphus, to degrade an archbishop without sufficient grounds; but when princes grow refractory and disobedient, it is her method to take them lower, and throw them out of their seat."—"You threaten high, says the king; do you think to get me under your feet, as you have done my nephew Otho, the emperor? for I am informed by him, you have lately chose a new emperor."—"That is true, replied Pandulphus; our lord the pope makes no difficulty of that matter, neither does he think your crown sits faster than another."—King. "Have you any more to say?"—Pandulphus. "From this day we excommunicate all those that shall communicate with you."—King. "Have you any thing else?"—Pandulphus. "We absolve all the clergy and laity of your dominions from their homage and obedience: and give me leave to acquaint you, that, two years since, your earls and barons requested the pope to discharge them from their subjection, and to give them the liberty to make war upon you. And farther I must add, his holiness designs shortly to send an army into England, to maintain the rights of the church. Now, upon the arrival of these forces, we command you all to repair to the pope's standard, and submit to the orders of his general. The penalty for disobedience runs high, and in general terms."—King. "Have you any thing more to menace?"—Pandulphus. "Yes; we tell you, in the name of God, that, from this day forward, neither you, nor any of your heirs, can wear the crown."—King. "I was informed that you were my friends, and that you would be serviceable to me at the court of Rome; but now I find things quite otherwise: but, by—, had you come into my kingdom without being sent for, I should have disposed of you to a post you would not have liked, and made this your last mischief."—Pandulphus. "We understand the language of your oath, as you might as decently have sworn you would hang us; but we call God to witness, we came into your dominions upon no other prospect than to suffer martyrdom for the church, neither do we expect any better usage from you."—Upon this the king ordered the sheriffs and other officers to bring forth the prisoners; some of these the king ordered to be hanged, some to have their eyes pulled out, and some had their

not yet without hopes of adjusting matters with the pope on more favourable terms than the nuncios demanded, and sent back some of his chaplains with them, to make the experiment*.

The haughty pontiff, however, being transported with rage at the ill success his legate had met with, absolved all John's subjects, of every degree, from their fidelity to him, strictly enjoining all persons to avoid him in public and in private, at his table, in his council, and even in common conversation†.

This ecclesiastical thunderbolt was at this time truly terrible, because the pope put it into the hand of Philip Augustus, king of France, to whom he made a donation of the kingdom of England, in perpetual inheritance, promising him the remission of all his sins if he succeeded in conquering it: he even granted the same indulgences for this expedition, as had been customary in expeditions against the Infidels. The king of France did not now think proper to declare that the pope had no right to dispose of crowns; he had himself been excommunicated some years before, and his kingdom laid under an interdict by the very same pope Innocent III. for having attempted to repudiate his wife and marry another: he had then publicly declared the papal censures to be insolent and abusive, and had seized on the temporalities of every bishop and priest in his kingdom, who had shewed himself so bad a Frenchman as to pay obedience to the pope. But Philip thought quite differently when he saw himself commissioned to take possession of England. He now took back his wife, for divorcing whom he had incurred so many censures, and set himself heartily to put the pope's sentence in execution. He employed a whole year in building a powerful fleet, and raised the finest army that had ever been seen in France. But of this more hereafter.

The excommunication of the pope had very little effect with the neighbouring princes, for John was this year attended at his Christmas court, which he held at Clerkenwell, by Alexander, eldest son of William, king of Scotland. That prince was now grown old and unfit for the affairs of government; his people began to murmur, and shew tokens of refractoriness to his authority, he therefore deputed the young prince to make sure of the assistance of the English court in case of rebellion. John received him with every possible mark of affection and regard, knighted him with great solemnity, and sent him back to his father with promises of his friendship and firm attachment to his interests; but the Welsh having exhibited some signs of discontent about this time, John ordered troops to be raised, vowing the most rigorous vengeance on the delinquents: as a prelude to his intended severity, he most inhumanly ordered the twenty-eight hostages, which had been given him, to be put to death in cool blood. After this he began his march towards the frontiers of Wales; but was met on his way by messengers from the king of Scotland, who brought him advice of a conspi-

racy formed against his crown and life. Upon this he instantly returned to London; and reflecting that the pope had absolved his subjects from their allegiance, he demanded hostages of all his nobility for their keeping their faith and allegiance. As to the particulars of this conspiracy, or who were the authors, history leaves us in the dark: but thus much is certain, that it made such an impression upon John, that he now determined to reform his conduct in government; he remitted several of the penal laws, particularly those relating to forests; he eased the duties which had been laid upon trade; and issued several mandates restricting the hitherto unbounded power of his ministers and officers, who had all along acted like harpies under the countenance and protection of a tiger.

Nevertheless, such had been the general tenor of John's behaviour since he had come to the crown, that these concessions were looked upon rather as the effects of impotence to do farther mischief, than the relentings of a heart convinced of its errors and struck with remorse for its cruelties. The wounds John had given to the constitution were not to be healed by a superficial application; the malady of disaffection had sunk deep into the vitals of the subject; and the great readiness the king now shewed to redress the grievances of the nation, was construed into an intention to betray. The nobility, thinking they had already suffered every oppression tyranny could inflict, entered into a negotiation with the king of France, by means of the exiled bishops, who readily promised them all the assistance they could desire, to rid themselves of the yoke under which they groaned.

This step in the English nobility would have been truly execrable, had not the king's tyranny absolved them, more than any papal censures could do, from their allegiance. John, on his side, began now to be so extremely jealous, that he never went abroad but in complete armour. Sensible that his nobility no longer loved him, he forgot his late mild measures, and had recourse to every act of severity that he thought could intimidate those, whose affections he had forfeited. He ruined their fortunes by exorbitant taxes, seized their estates, debauched their daughters, and their female relations, and insulted their persons: in a word, he seemed to disregard every tie of law, honour, and conscience, that should subsist between a king and his people. Robert Fitz Walter, whose daughter Maud the king is said to have poisoned, because she refused to yield to his embraces, fled into France; and Eustace de Vesci, another nobleman, finding himself the object of John's jealousy and resentment, took refuge in Scotland. If those proceedings on the part of John, which we find related by most of our historians, were really true, the original compact between the king and subject was virtually dissolved; and no means that the latter could invent for their deliverance, were unlawful.

During this state of mutual animosity and diffidence, John kept his Christmas court for the year

feet and hands cut off. The king imagined the sight of these executions might strike terror into Pandulphus, and work him to his purpose. Among the rest of the malefactors, there was a clergyman convicted of forgery: this man the king ordered to be hanged. When Pandulphus heard the sentence, he resolved to excommunicate those that should offer to lay hands on him, and went out of the presence to get a candle. The king perceiving him thus resolute, followed him, put the

criminal into the nuncio's hands, and referred him to his justice; and by this means the prisoner was discharged."

* This year also the emperor Otho, John's nephew, had been excommunicated by the pope, for certain invasions of the papal possessions; but we do not find that John thought himself much interested in their divisions.

† Matth. Paris, Hist. Maj.

1212, at Windsor, which was very thinly attended by his noblemen, who had almost universally deserted him.

Early in the spring, 1213, Pandulph, the pope's legate, arrived in France, in order to spirit up Philip to hasten all the preparations for invading of England, agreeable to the letter Innocent had written to him on this subject. But at the same time, with the most infamous double-dealing, he dispatched two messengers over to England, to sound John, and to know whether his coming to England with certain proposals, would be agreeable to him. The messengers having found in John a ready compliance, acquainted Pandulph therewith; upon which the crafty legate, under pretence that his holiness had given him orders to be an eye-witness of the oppression of the English church before hostilities should commence, prevailed on Philip not to put to sea till he had returned from England. Philip, without suspicion, agreed to his departure, looking on his journey to be only a matter of form.

Philip had already proposed the invasion of England in a general council of his prelates and nobility, all of whom, except the count of Flanders, approved the scheme, and promised to attend him with all their followers.

Sensible, however, of the difficulty of such an arduous undertaking, he resolved to take every precaution that could ensure its success. With this view, he contracted an alliance with Frederic, king of Sicily, in order to secure his dominions against any attempt of the emperor Otho, during his absence in England: he effected a match between his cousin Peter de Dreux, and Alice, heiress of Brittany, by which means he had the whole naval force of that province at his disposal; he employed a whole year in building ships, and equipping an armament for the expedition. Eustace a pirate, who had been in the service of John, deserted to him with five galleys: he laid an embargo on all the ships that were in the ports of France: he assembled a fleet of seventeen hundred sail at Boulogne, and appointed the rendezvous of his army at Rouen, where all his barons and vassals were ordered to attend him on the twenty-first of April, 1213, on pain of being treated as traitors, and forfeiting their estates.

John had received authentic accounts of all that had passed between the courts of France and Rome, and having wreaked his revenge, by demolishing Castle Baynard, a tower upon the Thames belonging to Fitz Walter, who had fled the kingdom; by cutting down the woods belonging to the see of Canterbury; and by levelling the castle of Stortford belonging to the bishop of London; he began to take the necessary measures for his defence. He knew that he stood in need of all the alliances he could make, to oppose the designs of his enemies: accordingly he engaged his nephew Otho to assist him with all his power; he retained in his service, by considerable pensions, Renaud or Reginald de Damartin, count of Boulogne and Mortaigne; Theobald, count of Bar, with his son Henry; William, count of Holland; Henry, duke of Saxony; the duke of Limburgh; Fernand, count of Flanders, son of Sanchez, king of Portugal; and Henry, duke of Louvain. These princes entered into a league with John, who gratified them with considerable annuities and grants of lands in England, for which they

did him homage, and undertook to furnish him with a certain number of forces. His next step was to take every necessary precaution to oppose the intended invasion: for this purpose he gave orders for a list to be taken of all the ships able to carry six horses, which were at that time in each port of England; and for the masters thereof to bring them, well manned, armed, and victualled, by a day appointed, to Portsmouth, there to enter into his pay and service. He sent likewise to the sheriffs of every county in the kingdom, to summon all the earls, barons, knights, esquires, vassals, whether holding of the crown or of any other superior, and all who bore, or ought to bear arms, to come, well prepared with horses and accoutrements, by the twenty-first of April, to the places of rendezvous, for the defence of his person and realm, under pain of being branded for cowards, and deprived of the privileges of free men. His orders were so urgent, and his threats had so sudden an effect, that in a little time he assembled more ships and forces than he could maintain; so that he was forced to send away part of his fleet. The whole of his land forces assembled on Barham Downs, near Canterbury, amounted on a muster to sixty thousand men, well armed and appointed. Such a body of brave troops, had they been well affected to his cause, were able to defend their prince and country against the attempts of any potentate upon earth; but this prince knew better how to make himself feared than beloved. At the head of this army John advanced to Dover, to receive the person who had passed sentence on him in France, and was coming to dethrone him in England.

During this pause of expectation, Pandulph arrived at Dover. This legate, who was a person of great sagacity and penetration, soon discovered the panic in which the king was, notwithstanding the exterior of fortitude and preparedness which he had put on, and resolved to turn this to his own advantage and that of his master, whose business he was come to effect. He plied John with every argument that could soothe or intimidate him into compliance: "Sir (said he to him), you are undone: the French fleet is going to set sail; your troops will certainly desert you: king Philip has publicly declared he has an invitation from the principal nobility of England, who have promised to join him upon his landing. You have only one resource left, which is to put yourself under the protection of the holy see; and the successor of Peter, with the same breath that raised the storm now ready to burst on your head, will dispel the cloud, and render the remainder of your reign serene and calm. Do not, then, by an unseasonable obstinacy, render your destruction inevitable; but rather with eagerness embrace the safety offered to you."

Never was prince in such circumstances as John; conscious of his own guilt, he believed the disloyalty of his subjects to be as great as it was; and, distracted and disordered in his imagination, he thought the power of his enemies to be much greater. Another cause likewise co-operated to affect his mind, which was of a very extraordinary nature, and had superstition for its origin. One Peter of Pomfret, a Yorkshire enthusiast, known more commonly by the name of Peter the Hermit, among the deluded multitude to whom he preached, had

had pretended to foretel that John should be deposed before the end of the current year; nay, it is said that he absolutely fixed Ascension-day following as the precise time when that event was to happen. This prophecy, whether the effect of knavery or enthusiasm, made a deep impression on the weak intellects of John, and principally induced him to accept of the shameful terms which Pandulph prescribed to him.

The exigence of circumstances would not admit of his going through the requisite forms, but he swore upon the holy Gospels, that he would obey the judgment of the church; and sixteen of his nobility were, according to the usage of those times, his sureties, who swore, that if the king did depart from the oath he had taken, they would compel him to make the pope satisfaction.

The thirteenth of May following, which was the Monday before Ascension-day, was appointed for the king's ratifying the peace, which had been yet only verbally agreed upon, between him and the pope. Accordingly he and the legate met at Dover, in presence of a vast number of noblemen and others. The terms of the peace were fairly engrossed, by way of charter, to which four great barons, viz. William, earl of Salisbury; Reginald, earl of Boulogne; William, earl of Warren; and William, earl of Ferrers, swore to concur, and were in substance as follows:

"That John shall grant true peace and safety to Stephen, archbishop of Canterbury; as also to the bishops of London, Ely, Hereford, Bath, and Lincoln, who shall resume their functions, and exercise their office without lett or molestation.

"That Robert Fitz Walter, Eustace de Veci, and all others, as well clergy as laity, concerned in the association, shall have free pardon granted them, and be restored to the enjoyment of their honours and estates.

"That full restitution shall be made of all liberty and property, which hath been taken away in the course of this dispute; and eight thousand marks be immediately remitted, in part of restitution, to the exiled bishops, for the payment of their debts, and to defray the expences of their return; and their agents shall be put into immediate possession of their effects and temporalities.

"John shall release all homage exacted from the vassals of these prelates since the commencement of the interdict; reverse all sentences of outlawry pronounced against clergymen or laity, on account of this dispute; and oblige himself to refrain from issuing such sentences against churchmen for the future; and to submit all disputes about damages to the determination of the legate, or the decision of the pope."

Thus was John reconciled to the pope, and, in consequence thereof, himself and kingdom delivered from ecclesiastical censures. But this submission of the king's did not give him a better title to the crown than he had before, nor take off the odium of Arthur's murder, nor remove the grievances; nor could it be supposed a sufficient reason to make the king of France desist from his intended descent upon England, when all his armament lay ready at the mouth of the Seine for that purpose, and the engagements of the nobility,

who had entered into an association with him still subsisted. These continued in all their height, and there was an evident necessity for finding some extraordinary expedient to prevent their effects. The only way that seemed to promise the best success in this case was, for John to put himself and his realm under the protection of the pope, whose censures would be then transferred from him to his enemies, and lay them under the same difficulties from which he was going to be extricated. Whether this was John's thought, or was suggested to him by Pandulphus (which is most probable), the resolution was taken; and two days after his submission, viz. on the fifteenth of May, he repaired, together with the legate, to the house of the Knights Templars, at Dover, where, in the presence of several of the principal nobles, John, kneeling down and putting his hands between those of the legate, pronounced the following form of resignation and homage.

"I John, by the grace of God, king of England and lord of Ireland, for the expiation of my sins, do voluntarily, and out of my pure free will, and with the advice of my barons, give unto the church of Rome, and to pope Innocent and his successors, the kingdom of England and lordship of Ireland, together with all the rights belonging to them; and do desire to hold the same of the pope as his vassal. I will be a faithful servant of God, of St. Peter, the church of Rome, and my sovereign lord pope Innocent and his catholic successors; to pay yearly one thousand marks of silver to the pope, to wit, seven hundred for the kingdom of England, and three hundred for the lordship of Ireland. And in case any of my heirs or successors shall presume to dispute the same, any thing in this charter contained, saving always the executive power of government, their liberties and royalties, let the recusant party forfeit his right to the kingdom, and be deposed."

The money was then put into the legate's hands, as the first payment of this tribute: then John himself presented him with the crown and scepter. The imperious priest, to shew his triumph over the fallen monarch, had the insolence to trample the money under foot; the regalia, indeed, he returned to the king*, but not without letting him know, in the hearing of all present, that he was to look upon their being restored to him, as the special favour of the holy see. The spectators were divided between indignation at the amazing impudence of the legate, and resentment at the mean-spirited and abject behaviour of their king; the archbishop of Dublin, according to Matthew Paris, grieving and exclaiming at what he beheld. According to Rapin, the king was terrified into this step by the artifices of Pandulph the pope's legate; and however servile the conditions which John acceded to, might appear in the sequel, yet they were very far from being such at their first proposal. The only thing which the legate required of him, in the beginning, was to oblige himself by oath to obey his holiness in every particular for which he had incurred his anger, and exposed himself to excommunication. The resignation of his crown to the pope was not so much as hinted at by the artful priest, or dreamed of by the king; and it

* Smollett, Rapin, and some other historians, tell us that the legate kept the crown and sceptre five whole days from the king, in order to convince the people, that what had been

done was not merely a matter of form: but this circumstance is not recorded by Mat. Paris, the Annals of Margam and Waverley, T. Hemingsford, Speed, or Brady.

was not till after the former had explained the oath of conformity to include in it this abject promise, that either the king or the nation could possibly conjecture that it was comprehended in it, or meant by Pandulphus himself. When this was first proposed, the king was struck with amazement and indignation; but finding himself reduced to the alternative of reigning as a vassal to the pope, or being deposed altogether and treated as a murderer, usurper, and tyrant, he had no longer room for hesitation. The account given us by Matthew Paris corroborates the representation of Rapin very strongly, who tells us at the same time that the king was very unwilling to take the oath to the legate, though he had given him the most terrible description of the armament preparing by Philip to subdue his kingdom and dispossess him of his throne.

Be this as it may, all the necessary instruments of submission being executed on the part of John, Pandulphus treated him with the most mortifying insolence: he gloried in having thus effectually done the business of his master, the pope, who, while all Europe was waiting with impatience for a decisive battle between the two kings, tricked them both, and artfully took that to himself, which he had pretended to bestow on Philip.

John having laid an embargo on all shipping in his dominions, all communication between France and England was necessarily stopped, so that Philip remained quite in the dark as to John's submission to, and reconciliation with, the pope, and was all this time waiting at Boulogne for the legate's return, in order to put to sea. Pandulph, having gotten his end, without taking off either the interdict or the excommunication, passed over to France with all the deeds that had been executed, and, on his arrival there, gave Philip to understand, that he must no longer think of invading England, which was now become a fief to the Church of Rome, and immediately under the protection of his holiness. Philip was both surprized and incensed at this discourse; he treated the legate as an impostor; he told him, that he had made these preparations at an immense expence (his naval armament alone having cost him sixty thousand pounds), at the pressing instances of the pope, for the remission of his sins, and therefore no contrary orders, nor all the threats in the world, should deter him from prosecuting his design. He immediately summoned a council of the chief lords of his kingdom and of the princes his vassals, who were then about him, to whom he painted the pope's proceedings in the most glaring colours, not sparing the most disrespectful terms in speaking of him, and concluded with persuading his lords to swear that they would now stand by him even against all the censures or excommunications that the pope should thunder against them.

The major part of the assembly readily complied with the request of their sovereign, and it was resolved to prosecute the design against England. The earl of Flanders alone opposed it: that prince was then in alliance with John, in consequence of which he not only refused to join the French, but boldly told their monarch, that his expedition against England was inconsistent with justice, as none of his ancestors had any claim to that kingdom: he moreover added, that the French king had unjustly seized upon his fortresses and domi-

nions, and on that account he would neither give his voice for, nor assist in this enterprize. This remonstrance incensed the French monarch to such a degree, that he immediately forbid the count his court, swearing at the same time by all the saints, "that France should be either a province of Flanders, or Flanders a province of France:" and the count had no sooner retired into his dominions, than the French king ordered his navy towards the coast of Flanders, marching himself at the same time by land, resolving to defer his expedition to England till he should have reduced that nobleman to such a low condition as would render him incapable of creating him any disturbances. The progress of his arms was at first very considerable, and in all probability the earl of Flanders would have been entirely ruined, if John had not sent a naval force to his aid, under the command of William, earl of Salisbury, a valiant and experienced officer, who surprized the French fleet lying before Ghent, took three hundred ships and sunk one hundred, the French themselves setting fire to the rest to prevent them from falling into the hands of the English.

This fatal defeat blasted all Philip's grand projects, and obliged him to relinquish his undertaking, and return home extremely mortified. At the same time it did not a little raise the courage of John. As he was assured of the pope's assistance, he resolved to carry the war into France, and endeavour to recover his lost dominions: with this view he formed a new alliance with the emperor Otho and the earl of Flanders, who were to attack France on different sides, while the king of England was to march into Poictou with a formidable army.

The plan of operations being thus adjusted, and in a manner that seemed to promise success, John summoned all his barons, knights, and vassals to attend him at Portsmouth; but the barons sent him word they could not comply with his summons so long as he continued under a state of excommunication.

John was exceedingly vexed at this refusal, and the delay it was likely to occasion; but, putting the best face upon the matter, he wrote to Langton and the exiled prelates to come over with all possible expedition and absolve him, assuring them that they might return in all safety, and that he had appointed several noblemen to meet them and conduct them to his presence, and that he longed for their arrival.

Influenced by these assurances, they landed at Dover, on the sixteenth of July, and repaired to Winchester, at which place the court then was: they were met on the way by the king, who, with an unpardonable meanness, throwing himself at their feet, besought them to have pity on him and the kingdom. The cardinal-archbishop then, lifting him up, led him to the church, where he absolved him in sight of all the nobility, having first administered to him the following oath upon the holy Gospels: "That he would, to the utmost of his power, love, defend, and maintain holy church and her clergy against all their adversaries: that he would re-establish the wholesome laws of his predecessors, especially those of king Edward: that he would annul wicked laws, and judge every man according to justice and equity." He likewise swore, under pain of incurring afresh the sentence

of excommunication, "That he would in every thing belonging to the late interdict, cause complete and ample restitution to be made to all men within the term of the following Easter." He also renewed his oath to pope Innocent and his successors in the papal chair.

This ceremony over, the king, who was elated with joy to see himself at length freed from so many troubles, to shew the cardinal that he bore him no secret enmity, made him that very day dine at the same table with him.

This affair being thus happily ended, John appointed the bishop of Winchester and Geoffrey Fitz Peters regents of the kingdom, and then set out for Portsmouth a second time, in order to proceed on his expedition against France, not in the least doubting that his late reconciliation with the pope, and the freeing the kingdom thereby from the interdict it lay under, would have made matters perfectly smooth between him and his barons; but herein he found himself grievously mistaken. Monarchs who, by a long series of tyrannical government, have accustomed their subjects to pains and penalties for the smallest transgressions of their will, never fail in the end to prove themselves the dupes of such mistaken policy: sensible that complaining will be always construed into fearful submission rather than loyal attachment, the oppressed grow careless what sentiments their rulers entertain of them, since they can but suffer if they fail in their efforts to cast off the yoke. In this predicament stood John with his nobles: they had long beheld in him only the cruel and despotic superior; his late servile concessions to the see of Rome had changed their dread of him into downright contempt; therefore they absolutely refused to accompany him abroad, alleging that their tenures did not oblige them to service out of the realm; and that the many exactions which had been laid upon them, had so far exhausted their means, that they could no longer support the expence of such an attendance themselves, and therefore expected, that in case of a compliance with his summons, he would give them security for a reimbursement of their charges out of the royal Exchequer. John stormed, he threatened, he soothed, he accused them of treason and rebellion; but all in vain, not one would stir: at length he found himself obliged to set sail, attended only by his own domestics. He was still in hopes the barons would retract and follow him: with this view he put into Jersey, and there waited some time to see the issue; but having at length received certain advice that the nobles were all returned to their respective homes, he came back to England, glowing with rage and indignation.

The king had hardly lost sight of English land, when the regency held a council at St. Alban's, in which the spirit of patriotism began to exert itself in a very strong manner. The first decree of this assembly was to enforce the strict observance of the laws of Henry I. throughout the kingdom, and to forbid any forrester, sheriff, or tenant of the king, on pain of death, to practise extortion or injury to any one; or to keep tippling booths, for inveigling the subjects to spend their time and substance in drinking and debauchery.

It was immediately upon the breaking up of this council that John landed in England, full of resentment against his barons who had refused to at-

tend him, and whom he resolved to punish for this act of contumacy. For this purpose he got together a body of forces consisting of his tenants that held immediately of him, and set out toward Northampton, to reduce them to obedience. On his march he was met by the cardinal-archbishop, who on this occasion exhibited a noble instance of that independency, which every man of true understanding and an upright heart will ever seek to maintain. He was indebted for his elevation to the pope; but as, in consequence of that elevation, he had become an English baron, he nobly resolved to oppose every measure that tended to subject the crown, and the nobility of England, the supporters of that crown, to a foreign power. Tyranny was to him equally insupportable by whomsoever exercised. He expostulated very warmly with John concerning the business he was upon; he reminded him of the terms on which he had been absolved from the sentence of the holy see; and told him, that his present proceedings were directly contrary to the engagements he had entered into when he received absolution, to lay aside all animosity, and prove the father and protector of his people, and to oppress no one till he had first been fairly tried by his peers. John answered the prelate in a fury, that he would not be diverted from his purpose by any meddling churchman in the realm: that the archbishop had no business to interfere in civil matters, but to attach himself wholly to the spiritual functions of his office. The cardinal finding him thus refractory, and impatient of wholesome advice, took an higher tone, and told him peremptorily, that if he continued in his resolution to make war upon his subjects, who had only asserted their right of freedom, he would immediately anathematize every person, the king himself excepted, who should commit hostilities. This menace had a greater effect upon John's pusillanimous temper than the most solid remonstrances could have produced. He could not deny that every English baron had a right to be judged by his peers in all causes of complaint; he had lately smarted severely for his difference with the church; and therefore, making a virtue of necessity, he affected to be convinced by the archbishop's arguments, and accordingly appointed a day for the barons to appear before the king's court, there to answer the charge he should exhibit against them.

In the month of August a council of the clergy was convened by Langton, at London, in order to appoint commissioners on their part, for enquiring into the damages sustained by the exiled bishops, as John had done on his. This business being dispatched, the archbishop took occasion to closet several of the principal barons, who usually attended those synodical assemblies, and told them, "That the time was now come for recovering their long-lost liberties, if they had sufficient spirit to make use of an opportunity which Heaven seemed to point out to them for that desirable purpose: he told them, that a fortunate chance had brought to his hands the original charter which Henry I. had granted at his coronation, which he pretended had been carefully concealed; that this would fully explain the true intent and meaning of the king's oath at the time of his absolution from the sentence of excommunication, whereby he swore to abolish all unjust laws, and revive those of Edward the Confessor."

Confessor." Then producing the charter †, he read it to them: the barons, over-joyed at the recovery of this deed, of which they had hitherto only a confused notion (great pains having been taken to bury it in oblivion), and which they now looked upon as a powerful instrument towards regaining their lost privileges, they all took a solemn oath in the archbishop's presence, that they would spill the last drop of their blood in contending for those liberties; and the archbishop, on his part, promised to give them all the assistance in his power, without respect to any authority whatever interposing to the contrary.

John, who was at this time in the West ‡, had notice given him of the association entered into; upon which he dispatched John, bishop of Norwich, to the court of Rome, with complaints against the factious and turbulent behaviour of Langton. The pope, whose interest it was to maintain this weak prince upon the throne, and who was, moreover, highly incensed at Langton for taking steps so destructive of that authority which the papal see arrogated to itself over all the kingdoms of the earth, wrote himself to John, assuring him, "That he would ever maintain his royal dignity entire, against all the endeavours of his enemies; advising him not to involve himself in any disputes with his archbishops and clergy, but rather to have recourse to him, who could do that for him with credit, which he could not do for himself without giving offence; and that he would at all times gratify him in all his just and equitable requests." At the same time Innocent wrote letters to the king of Scotland, to the bishops, earls, and barons of England and Ireland, charging them to continue in their fidelity to John, and not to attempt any thing against him on account of his resignation of the crown (which seems to have been the chief pretext made use of by the nobility in general, to countenance their opposition), and also sent over Nicholas, bishop of Frescati, with the character of legate a latere, and with full power to relax the interdict and reconcile the king and clergy, in relation to the affair of the restitution.

This legate arrived at London on the first of October, and the Thursday following, being the third day of the month, he received the king's homage in the church of St. Paul, with the first year's tribute of a thousand marks; and at the same time a fresh instrument was drawn up, by which John renewed his resignation and fealty to the holy see: this was sealed with a golden bull instead of a wax impression, which had been affixed to the former; and the king delivered it to the legate, with his own hand, for the use of the pope his master.

The confederate barons now plainly perceived their secret was discovered, and that this second resignation on the part of John, was done with a view to attach the pontiff indispensibly to his interests, and to oblige him to become his protector against any one who should oppose his measures. As nothing could be more destructive of the grand work they had in view, the recovery and ascertaining of

their liberties and ancient privileges, than the infamous state of vassalage to which their sovereign thus subjected his kingdom, cardinal Langton boldly remonstrated against it; and the charter of resignation being by the legate laid on the high altar, Stephen laid by its side, in the name of the whole clergy, his protest against an instrument so execrable to the whole nation, after having in vain laboured to dissuade the king from this act of servility, in which he was joined by all the principal nobles of the realm*.

The following month a meeting was held at Wallingford, in Berkshire, between the king and clergy, to settle the demands of the latter on account of the damages they alleged to have sustained by the demolition of their churches, castles, and private property; as also the injuries offered to their sacerdotal character by John's oppressive proceedings: but, after several adjournments, the promised restitution was put off to all but the archbishop of Canterbury and the bishops who had been banished, and who received fifteen thousand marks of silver.

The legate, who considered John as a vassal of the see of Rome, was not willing to see him fleeced by any but his master: he therefore exerted his utmost endeavours to support the king's interest against his discontented subjects; and, that he might rid him of one uneasiness, he laboured to compromise the difference between him and the northern barons, to whom John was obliged to grant a confirmation of their ancient liberties, particularly that of being exempted from attendance on the king without the bounds of their own fiefs at their own expence, which was what they insisted upon when they refused to attend John over to the continent. After this, Nicholas made a visitation of all the churches and monasteries throughout the kingdom, filling up the vacant livings with such persons as he thought most in the interests of the pope and the king.

A temporary pacification being thus effected, John resumed his intended expedition into Poitou, in order to fulfil the engagements he had made with Raymond, count of Thoulouse, and Guy, count of Auvergne; the former of whom, together with the earls of Flanders and Boulogne, had come over to England the preceding winter, in order to concert their operations for the ensuing campaign; which being agreed upon, John set sail from Portsmouth on the second of February, 1214, and on the fifteenth landed at Rochelle, where he was received with open arms by several of the most considerable Poitevin nobility; and Hugh, count de la Marche, and his brother the count of Eu, soon after made their submission, together with Geoffrey de Lusignan and his sons the earls of March and Auge: at the same time a treaty of marriage was proposed between Joan, a princess of England, and the eldest son of the earl of Marche.

John having received the homage of these noblemen, and thereby settled the peace of Poitou, directed his march for the province of Anjou,

† For which, see p. 205, 206, of this History.

‡ Rymer, vol. i. p. 175.

* On the second of October in this year (1213), died Geoffrey Fitz Peter, justiciary of England, whose death was a loss to the whole nation; he was a person of extraordinary abilities, consummately skilled in the laws of the kingdom, of considerable interest both on account of his birth and his possessions, and, in a word, the very pillar of the nation.

The king had often been restrained, by his means, from several acts which would have rendered him unpopular, and was so elated at the news of his death, that he swore by the feet of God, his death had made him king of England; and, turning to some nobles who stood near him, said, "When he comes to hell let him salute archbishop Hubert, whom he will be sure to find there." Holingshed, vol. ii. p. 181. M. Paris, p. 204. Tyrrel, vol. ii. p. 761.

which he presently over-ran, and taking Angers, fortified it for a place of arms. Thence he sent several parties to scour the country to the gates of Nantes: in one of these skirmishes the young count of Dreux, nephew to the king of France, was made prisoner, with about forty French gentlemen of his retinue.

This good success was, however, quickly clouded; for Lewis, the prince-royal of France, advancing against John with a numerous army, the latter drew together his forces in order to oppose him; but when he was ready to take the field, the Poitevins (a giddy inconstant race) refused to follow him; and John, apprehending that they might be in correspondence with the French to betray him, fled with such precipitation, that he left his tents, baggage, and military chest behind him, besides losing great numbers of his men in the Loire. Lewis, upon this inglorious retreat of the English monarch, soon repossessed himself of Angers and the other places that had submitted to John, most of which he dismantled: but the arms of France were crowned with still greater success in other quarters.

Philip had taken the command in person against the emperor Otho, who acted at the head of the confederate army on the Loire, composed of English, Imperialists, Dutch, and Flemings, and amounting to one hundred and fifty thousand men. After several marches and countermarches on each side, the two armies met near Bovines, on the twenty-seventh of July, 1214, when a general action ensued. This battle was replete with such a variety of striking circumstances, that the account of it cannot fail to be entertaining to the reader: we shall therefore give him an extract out of Matthew Paris's description of this great event, which is agreeable to that of Rigord, the French king's chaplain, who was present in the scene of action.

"The allied army first discovered the king of France on a Sunday; and so great was the reverence in which that day was then held by persons who made arms their profession, that no one would think of fighting till the morrow. Hugh de Boves was the only person who ridiculed it as a superstitious whim, and rather as a pretence made use of to cloak the pusillanimity and disloyalty of the other commanders, than a testimony of real piety. Stung with this reproach, the other officers ran to arms in indignation, and made the necessary preparations for beginning the attack upon the French.

"The allied army was drawn up in three lines, or divisions; the front being commanded by Ferrand, earl of Flanders, Reginald, count of Boulogne, and William Longsword, earl of Salisbury, the king's natural brother: the second division was under the command of William, count of Holland, Hugh de Boves with the Flemings being in front:

and the third consisted of Germans, headed by the emperor Otho in person.

"The French king, on his side, had ordered the bridge in the rear of his army to be destroyed, that his men might have no hopes but in their valour. After this precaution he waited patiently for the allies to begin the attack, which they did with great impetuosity, inasmuch that they quickly penetrated to the king's station, which was known by the royal standard of France, bespangled with fleurs de lis (the first time they are mentioned as the arms of France in history.) Reginald, count of Boulogne, was so near to Philip, that he felled him to the ground with his lance, and would have dispatched him, had not his followers, with valour almost surpassing credibility, rushed in and saved their monarch, remounting him on his horse with great difficulty, and, after a vigorous opposition, turned the fate of the day.

"While these things were transacting in that part of the French army where Philip was, the earls of Boulogne and Salisbury, at the head of the English, maintained the battle on the right wing still unmoved and unbroken. Their troops had thrown themselves into a hollow square, the outer ranks armed with pikes, which they presented to the enemy, and thereby kept their position firm and themselves united; but at length, being overpowered with numbers, fatigued with the toil of resistance, and at too great a distance to receive any succours from their main body, and finding their retreat cut off, they were obliged to lay down their arms and surrender themselves prisoners.

"At the same time another part of the French troops were no less successful in another quarter, after having broken the body of Flemings commanded by Hugh de Boves, and pursued them sword in hand as far as the division commanded by the emperor. Flushed with their success, they surrounded his army, with an intention either to slay him or compel him to surrender; but Otho, holding his sword in both his hands like a scythe, mowed down all that opposed him, and struck terror into his assailants: in this manner he had no less than three horses killed under him, and was at length suffered to escape out of the field*."

The emperor's standard, which was a dragon under an imperial eagle gilt, was taken, and the chariot in which it was carried broken in pieces. Five earls were taken prisoners, among whom were Ferrand, earl of Flanders, Reginald, earl of Boulogne, and William Longue Espée (or Longsword), earl of Salisbury, base-brother to king John; besides twenty-five noblemen that carried banners. Ferrand was imprisoned in a strong tower, in Paris; and Reginald in the castle of Peronne, in Picardy, where he was laden with irons, and chained to a great piece of timber†.

* Matt. Paris, Hist. Angl. p. 211, 212.

† Rigord, p. 216. n. 10, &c. M. de Voltaire has given us an account of this memorable battle, with his usual elegance and conciseness, interspersed with some curious remarks, well worthy our knowledge and attention: I shall therefore, without any farther apology, give it a place in this note.

"Betwixt Lille and Tournay lies a little village, called Bovines, near to which Otho IV. at the head of an army upwards of one hundred thousand strong, advanced to attack king Philip, who had not above half that number. At that time they made use of the cross-bow, a weapon which had been in use ever since the end of the twelfth century: but the fate of the day was chiefly decided by the weight of the cavalry, who were entirely clad in iron. This compleat ar-

mour was a privilege of honour granted to the knights, which the esquires could not pretend to, they not being permitted to be invulnerable. All that a knight had to be afraid of was being wounded either in the face when he lifted up the visor of his helmet, or in the side, at the joints of the armour; or when knocked down, by having his coat of mail lifted up; or lastly, under the arm-pit when he lifted up his arm to strike.

"There were also other troops of cavalry raised from among the common people; these were not so well armed as the knights. As for the infantry, they made use of such defensive arms as they liked best; their weapons of offence were the sword, the arrow, the club, and the sling.

"Philip's army was drawn up in battalia, by a bishop; whose

So complete a victory, and so many illustrious prisoners, placed the power of Philip beyond all danger of any future insult. As for John, he was so much affected with the news of this defeat, a defeat that put an end to all his designs against Philip, that he is said to have declared, "He had never had any good luck after his reconciliation with the pope."

Philip, in order to improve the advantages he had gained, pushed his victorious arms with such success, that John was at length glad to sue for a peace, and a five years truce was brought about by John de Cursen, the pope's legate at the court of France; the terms were such as covered the king of England with disgrace, who now returned home, where he was to encounter fresh difficulties and uneasinesses, all owing to his own mismanagement and tyrannical behaviour.

During his absence a dispute had arisen between Nicholas, the pope's legate here, and the archbishop of Canterbury, in relation to the former's having filled up all the vacant sees with creatures of his own, whose appointments Langton refused to confirm, and at the same time appealed to the pope against the proceedings of the legate. But the pontiff, who was already prejudiced against Langton and his clergy, for the spirited opposition they had made to arbitrary rule, and entertained an high opinion of the ability and address of Nicholas in the exercise of his legatine powers, lent a deaf ear to all the suggestions of his enemies, and treated the representation of the archbishop with indifference and contempt: he confirmed the authority of Nicholas, and even sent him powers to deliver the kingdom from the interdict, upon the king's giving security for the payment of twelve thousand marks per annum to Langton and the other bishops who had been exiled, until the sum of forty thousand marks (at which the estimate of the damages was fixed) should be fully paid. But as no restitution or compensation was made to the inferior sufferers, no sooner was the interdict removed than the legate was addressed by innumerable multitudes of Templars, Hospitallers, and other religious, who

whose name was Guerin, and had been lately nominated to the bishopric of Senlis. The same bishop of Beauvais who had been so long kept prisoner by Richard Cœur de Lion, was also present at this battle: he always fought with a club, saying that it was contrary to the canons to spill Christian blood. It is not known in what manner either the emperor or the king ranged their troops. Philip, just before the onset, ordered this psalm to be sung: "Exurgat Deus & dissipentur inimici ejus.—Let the Lord arise and let his enemies be put to flight;" as if Otho had taken up arms against God himself. Before this the French were accustomed to sing verses in praise of Charlemagne and Roland. Otho's imperial standard was carried upon four wheels; this was a long pole, to which was fastened a painted dragon, and over the dragon was raised an eagle of gilt wood. The royal standard of France was a gilt staff with white silk colours, sowed with fleurs de lis; and what had been for a long time only the fancy of painters, was now become the arms of France. The old crowns of the kings of Lombardy, of which there are very exact prints in Muratori, are surmounted with this ornament, which is indeed nothing else but the head of a spear, fastened with two other pieces of crooked iron.

Besides the royal standard, Philip Augustus had the oriflame of St. Denis carried before him. Whenever the king was in danger, one or other of these standards was to be raised or lowered. Each knight had also his particular standard, and the greater knights had other colours carried before them, which they called banners. This name banner, though so very honourable, was nevertheless common to all the colours carried by the infantry, which consisted almost entirely of bondmen. The military shout among the French was "Mon joye Saint Denis;" that of the Germans was "Kyrie eleison."

A proof that the knights completely armed ran no other

set forth the hardships they underwent during the interdict, and prayed that they might be indemnified for their losses: but the legate received their address with great indifference, and referred them for satisfaction to his holiness.

This difference, however, was but the prelude to an event of much greater importance; brought about chiefly by the management of Langton, archbishop of Canterbury, a man who, though obtruded on the nation by a palpable encroachment of the see of Rome, must ever be held in respectable remembrance by the English, for having formed that plan of reformation, and having prepared the way for that great revolution in government, which disarmed the hands of tyranny, and secured to the subject those liberties and charters which at present are their inviolable security against any encroachments of ill-advised princes or evil-minded ministers. As soon as the king was returned from his French expedition, the barons, who had still their favourite project in view, and resolved to demand the re-establishment of their privileges, under colour of a pilgrimage, assembled at St. Edmundsbury, where they solemnly took the following oath at the high altar, "That if the king should decline to grant them the laws and liberties which they demanded, they would wage war against him so long as he should hold out, and withdraw themselves from their allegiance to him, until he should, by charter, under his seal, grant them all their demands *."

They next entered into a general resolution, "That after Christmas they should go in a body and petition him to confirm their liberties: that in the mean time they should provide themselves with horses and arms, in case the king should (and which they believed), according to his double-dealing, start from his oath, that they might be in a condition to force him into a compliance by taking his castles †."

Accordingly, having come to London, about the middle of January, 1215, the barons, agreeable to what had been concerted amongst them, repaired in military array to the New Temple ‡,

risk than that of being dismounted, and were never wounded but by the greatest accident, is, that king Philip being thrown from his horse, was a long time surrounded by the enemy, and received several blows with all kinds of weapons, without losing a drop of blood.

"It is even said, that while he was upon the ground, a German soldier attempted several times to pierce his neck with a spear that had a double hook, but could not compass it. Not one knight was killed in this battle except William Longchamp, who was unfortunately slain by a stroke in his eye, which was given him through the visor of his helmet.

"Among the Germans were reckoned five and twenty knights bannerets, and seven counts of the empire, made prisoners, but not one wounded.

"The emperor Otho lost the battle, in which it is said there were thirty thousand Germans killed; but probably the number is exaggerated. We do not find that the king of France made any conquest in Germany after the battle of Bovines; but he gained a great increase of power over his vassals." See Smollett's Translation, vol. ii. p. 55.

* Quod si rex leges & libertates jam dictas concedere diffugeret, ipsi ei guerram tamdiu moverent, ut ab ejus fidelitate se subtraherent, donec eis per chartam sigillo suo munitam confirmaret omnia quæ petebant. Mat. Paris, p. 212.

† Ut post natale Domini simul omnes ad regem venientes, libertates præscriptas sibi peterent confirmari. Atque interim in equis sibi & armis taliter providerent; quod si forte rex vellet juramento, quod bene credebant, resilire propter suam duplicitem; ipsi protinus per captionem castrorum suorum, eum ad satisfactionem compellerent. Mat. Paris, ibid.

‡ The same spot of ground on which the Inner and Middle Temple now stand.

where he then kept his residence, demanding a confirmation of their liberties, and reminding him of the promise he had made at Winchester to revive the laws of Edward, which contained the whole of their demands.

The king perceiving the constancy and determined spirit of the barons, in the prosecution of their demands, and being moreover apprized of some parts of the preparation they had made in case of a rupture, endeavoured to ward off the blow which threatened him, by an affected mildness and complacency. He told them, "That their demand was of an extraordinary nature and great importance, requiring much serious consideration; he therefore desired he might have till the following Easter for deliberation, so that he might return them such an answer as should be most consistent with the dignity of the crown and his own safety."

After some altercation, the king, though much against his will, was obliged to suffer the archbishop of Canterbury, the bishop of Ely, and William Mareschall to become his sureties, that, on the day appointed, he would give them proper satisfaction.

During the intermediate time, John, to soften the clergy, granted by his charter liberty to all electors into bishoprics, abbeys, and conventual churches, to fill them up with incumbents of their own choosing, without any mention being made, as usual, of such or such persons being agreeable to the crown for their fidelity, or other public qualifications; at the same time obliging himself and his successors to confirm such election by the royal assent, unless some solid objection could be urged to the contrary. By this charter John for ever gave up that important prerogative, for which his father Henry and all his ancestors had so constantly and zealously contended.

Fearful, however, lest those concessions would not be sufficient to soften the minds of his subjects, and elude the performance of a promise which he had made merely to gain time, without the least intention of making it good, he bethought himself of another method, which he looked upon as infallible to secure him against the attacks of his opposers; this was, to take upon himself the cross, an expedient first invented by enthusiasm and knavery to screen perfidy, and absolve from the most sacred oaths; those who engaged in expeditions for the relief of the Christians in Palestine being under the immediate protection of the Roman see, and their persons and lands deemed sacred and inviolable, and not to be attacked by any one without subjecting the aggressor to the severest censures of the church and the general hatred of all Christians. John buckled on this spiritual armour, on Candlemas-day; but, nevertheless, he thought it most adviseable to add another precaution, by engaging the pope to prohibit the barons from attacking him.

He therefore dispatched William Mauclerc to the court of Rome to prefer his complaints against the conspirators, and desire his holiness to take him under his immediate protection.

Innocent had, for some time, beheld with regret the disturbances which had arisen in England: he considered John as his vassal; and wisely reflecting that the more powerful the vassal was, the more capable would he be to furnish those sums which

from time to time he meant to exact from him, he therefore resolved to favour John in his pretensions: accordingly he wrote letters to the prelates, to the nobility, and to the king himself. He exhorted the first to employ their good offices in promoting a reconciliation between the adverse parties, and putting an end to civil discord: to the second he expressed his disapprobation of their conduct, in employing force to extort concessions from their sovereign: the last he advised to treat his nobles with grace and indulgence, and to grant them such of their demands as should appear just and reasonable.

The barons easily saw, from the tenor of these letters, that they must expect the pope as well as the king for their enemy, but were resolved not to be deterred by high-sounding words from prosecuting their purpose with all the vigour which the importance of whatever ought to be dear to mankind requires, and to rescue bleeding liberty from the uplifted poignard of tyranny, in spite of all the terrors of Rome. Warmed with these generous sentiments, they assembled in a body at Stamford, all well armed and appointed, followed by their knights and vassals, to the number of thirty thousand fighting men.

The chief personages engaged in this confederacy were Robert Fitz Walter, Eustace de Vesci, Richard de Percy, Robert de Ross, Peter de Buis (the same, in all probability, with Bruce), Nicholas de Stuteville, the earl of Winchester father and son, Robert, earl of Clare, and his son, earl Bigod, William Mowbray, Robert de Vere, William Mallet, William Montague, the young earl Mareschal, the earl of Essex, with many others, too tedious to mention.

Their first step was to publish a manifesto, setting forth the cause of their having taken up arms, and reproaching the king with his meanness and pusillanimity in degrading himself to a vassal of the Roman see, and resigning the independency of the crown of England. This manifesto had a surprising effect on all minds, and the insurgents soon found their party considerably strengthened.

All this time Stephen Langton, archbishop of Canterbury, continued about the king's person, doing all the good offices he could between him and his nobles; yet finding John intractable, his heart was with the assertors of the liberties of their country.

John, now perceiving that the very means he had employed to intimidate the barons, had served only to render them more resolute and determined in the prosecution of their scheme, and that he had no resource left but to try the methods of negotiation, dispatched the archbishop and the earl of Pembroke to require of the malecontents a precise explanation of what they conceived the liberties and rights, they so much insisted upon, to be. These two noblemen found the barons rendezvoused at Brackley, in Northamptonshire, about twenty miles distant from Oxford, where the king then resided. In answer to the requisition made them by the royal deputies, they delivered a long memorial of the laws and customs observed in the time of the Saxon kings, and confirmed by the laws of St. Edward, which the king had sworn to maintain, as well at the time of his coronation as when he was absolved from the papal censure. At the return of the commissioners, the king perused the schedule

schedule containing the demands of the barons, and at the same time was told, that if he refused to confirm them, they were resolved to compel him by force of arms; John upon this flew into a violent passion, and swore with a great oath, "That he never would grant such privileges as should make himself a slave."

This answer being returned to the barons, they threw back their allegiance to the king, defied him, and immediately chose lord Robert Fitz Walter for their general, styling him the Marshal of the Army of God and of holy Church*. At the same time they marched to Northampton, and laid siege to the castle; but the place holding out longer than they expected, they abandoned the siege, and proceeded to Bedford, the castle of which was put into their hands by William Beauchamp, its owner.

While they were here they received expresses from their friends in London, with advice that if they made haste they might be masters of the city; upon which they marched without loss of time to Ware, in Hertfordshire, and from thence all night, and entered London by Aldgate very early on Sunday morning, May 24; and, finding the gates open, took possession of the place without any disturbance by favour of the rich citizens of their party, whilst the rest were generally employed in their devotion.

When they had disposed their guards in all places, and taken security of the citizens, they sent letters to all the nobility and gentry in the kingdom that seemed as yet to adhere to John, though in their hearts averse to his service†, inviting them to join in their cause, and to fight for their liberties, or else threatening them with the utter destruction of their seats and castles. These menaces had such an effect upon many of them that had not yet sworn to the liberties demanded, that, either out of affection to their cause, or fear of their power, they repaired to London and entered into the confederacy.

I cannot forbear in this place giving the reader a very just and sensible reflection of Mr. Guthrie upon this step of the barons. "Though the measure in writing to these noblemen (says he) was both wise and justifiable, yet I think they (the barons in arms) wrote in terms which favour too much of the ungovernable spirit which success, rather than a patriotic love of liberty, dictates. The threats they made use of, were by no means justifiable; since even in the case to which the barons were then reduced, offensive war was justifiable only so far as it immediately concerned the establishment of their own liberties. The spirit of the English constitution was wounded by this step, as it tended to put a force upon, perhaps, tender consciences,

and men who were guilty of nothing but not abandoning their sovereign, to whom they might lie under personal obligations, and who never had individually given them just handle for opposition. I am therefore inclined to believe that those noblemen were in a correspondence with the opposing barons, and that they only wanted such a requisition to give them a plausible pretence for joining them, and to prevent John from treating them as rebels; for we are told by Paris, that most of them waited only for the manifesto to join the barons, which they did, and that they entirely abandoned their king‡."

The nation was now all in arms; there was a general defection from the king, insomuch that he found himself left at Oldham, in Surry, with no more than seven knights in his retinue. Finding himself thus betrayed by his pretended friends, deserted by those whom he imagined he had bound to him by particular kindnesses, and exposed to the attacks of his declared enemies, he began to think seriously of compromising all disputes with his subjects, so as to preserve at least the shadow of royalty. For this purpose he made choice of the earl of Pembroke, a nobleman of unblemished character, who had still continued to reconcile the principles of loyalty to those of liberty, and by his prudent conduct had acquired to himself that authority which integrity ever claims, to mediate between him and a justly incensed (because cruelly oppressed) people.

John was at this time in Windsor castle, from whence the earl and two other messengers set out for London, where they had an interview with the barons, and laid before them the king's propositions, wherein he offered to refer the decision of the matter to four noblemen, chosen from each party, under the arbitration of the pope. This proposal, however, was instantly rejected; the barons knew too well the partiality of Innocent to accept him as umpire, or indeed to suffer his intermeddling at all in the affair. John therefore found himself under the necessity of submitting at discretion, and empowered the earl of Pembroke to promise, in his name, that he would grant all the demands of his subjects, and would send commissioners to a conference, to be held for that purpose in Runne-mede||, between Staines and Windsor.

There the barons appeared with a vast number of knights and warriors, on the fifteenth of June, and commissioners on both sides being appointed, the conference began, which held nine days, namely till the twenty-fourth; and at length they adjusted the articles of the two famous charters called Magna Charta and Charta de Foresta, which are the foundation of the English liberty and constitution, or

* Appellantes eum Marescallum Exercitus Dei & Ecclesiæ sanctæ. Matt. Paris.

† M. Paris reckons among these the earls of Pembroke, Chester, Salisbury, Warenne, Albemarle, and Cornwall; John Mareschall, W. and Philip d'Albiny, W. Brewere, Rob. de Vipont, Peter Fitz Hubert, Brian de Lisle, G. de Lucy, G. de Furnival, Tho. Bassett, Henry de Braybroc, H. de Cornhill, John de Basingburne, W. de Cantelupe, John Fitz Hugh, and Hugh de Neville.

‡ Guthr. Hist. Eng. vol. i. p. 663. M. Paris informs us of an artifice of the king's in this extremity, which, if true, shews him to be a tyrant complete; but if false, should be treated as the most flagrant calumny that ever dropped from the pen of an historian. According to our author, "he counterfeited the seals of all the English bishops, and wrote in their names to all the courts of Christendom, accusing the English of apostacy, inviting them to take up arms against them, and

assuring them not only of the pope's approbation and the English monarch's assent, but likewise promising them the estates of the rebellious barons as a reward." Mat. Paris, p. 214. But this appears improbable, since, if John had such a purpose, there was no occasion for him to be guilty of a forgery to compass it; the pope would have been both willing and ready to have joined in a scheme of that kind, and John's own manifesto would have been the strongest inducement to foreigners to have interposed their assistance in his behalf.

|| Erroneously written by many of our English historians Running Mead. This place, according to Matt. Westm. derives its name from Runne, a Saxon word signifying Counsel or Deliberation; because, from ancient times, treaties concerning the peace of the kingdom, had been often held there: accordingly the above-mentioned historian terms it, Councilmead, "pratum concilii."

rather the confirmation of those rights and privileges which the prelates and barons had enjoyed under the Saxon monarchs.

We shall now present the reader with a correct copy of these two famous charters. The first is from an original which is still preserved in the Cottonian library, with the seal a little damaged, but with some variations from that which is in Matth.

CHARTA COMMUNII LIBERTATUM, sive MAGNA CHARTA Regis JOHANNIS. A. D. MCCXV.

Ex Autographo Cottoniano.

JOHANNES, Dei gratia, rex Anglie, dominus Hibernie, dux Normannie, Aquitanie, & comes Andegavie, archiepiscopis, episcopis, abbatibus, comitibus, baronibus, justiciariis forestariis, vicecomitibus propositis, ministris, & omnibus ballivis, & fidelibus suis, salutem. Sciatis nos, intuitu Dei, & pro salute anime nostre & omnium antecessorum & heredum nostrorum, ad honorem Dei & exaltationem sancte ecclesie & emendationem regni nostri, per consilium venerabilium patrum nostrorum, Stephani, Cantuariensis archiepiscopi, totius Anglie primatis & sancte Romane ecclesie cardinalis, Henrici, Dubliniensis archiepiscopi, Willielmi Londoniensis, Petri Wintoniensis, Jocelini Bathoniensis & Glaston. Hugonis Lincolnensis, Walteri Wygorniensis, Willielmi Coventrensis, & Benedicti Roffensis, episcoporum, magistrum Pandulphi, domini pape subdiaconi & familiaris, fratris Eymerici, magistrum Militum Templi in Anglia, & nobilium virorum Willielmi Mariscalli, comitis Pembroke, Willielmi, comitis Sarum, Willielmi, comitis Warrenne, Willielmi, comitis Arundell, Alani de Galweya, constabularii Scotie, Warini filii Geroldi, Petri filii Hereberti, Huberti de Burgo, senescalli Pictavi, Hugonis de Nevill, Matthei filii Hereberti, Thome Basset, Alani Basset, Philippi de Albinaco, Roberti de Roppele, Johannis Marefcallia, Johannis filii Hugonis, & aliorum fidelium nostrorum, in primis concessisse Deo, & hac presente charta nostra confirmasse, pro nobis & heredibus nostris in perpetuum:

I. Quod Anglicana ecclesia libera sit & habeat jura sua integra, & libertates suas illesas (1); & volumus observari quod apparet ex eo, quod libertatem electionum que maxima & magis necessaria reputatur ecclesie Anglicane mira & spontanea voluntate, ante discordiam inter nos & barones nostros motam concessimus, & carta nostra confirmavimus, & eam obtinuimus a domino papa Innocentio tertio confirmari, quam & nos observabimus, & ab heredibus nostris in perpetuum bona fide volumus observari.

II. Concessimus etiam omnibus liberis hominibus regni nostri, pro nobis & heredibus nostris in perpetuum, omnes libertates subscriptas, habendas & tenendas eis & heredibus suis de nobis & heredibus nostris.

III. Si quis comitum vel baronum nostrorum, sive aliorum tenentium de nobis in capite per servitium

Paris, p. 255. which are inclosed within crotchets: we shall also point out such clauses as were omitted in the Magna Charta of Henry III. and all the charters that followed; so that the reader will have at one view a faithful copy of the original, as it is extant in the Cotton library; and also, in what particulars the charter in Matthew Paris, and that of Henry III. vary from it.

The CHARTER of LIBERTIES, of the GREAT CHARTER, granted by King JOHN to his Subjects, in the Year 1215.

JOHN*, by the grace of God, king of England, lord of Ireland, duke of Normandy and Aquitaine, and earl of Anjou, to the archbishops, bishops, abbots, earls, barons, justiciaries of the forests, sheriffs, governors, and officers, and to all bailiffs and other his faithful subjects, greeting. Know ye, that we, in the presence of God, and for the health of our soul and the souls of all our ancestors and heirs, and to the honour of God, and the exaltation of holy church, and amendment of our kingdom, by advice of our venerable fathers, Stephen, archbishop of Canterbury, primate of all England and cardinal of the holy Roman church, Henry, archbishop of Dublin, William, bishop of London, Peter of Winchester, Jocelin of Bath and Glastonbury, Hugh of Lincoln, Walter of Worcester, William of Coventry, Benedict of Rochester, bishops, and master Pandulph, the pope's subdeacon and ancient servant, brother Aymeric, master of the Temple in England, and the noble persons William Marefchall, earl of Pembroke, William, earl of Salisbury, William, earl of Warren, William, earl of Arundel, Alan de Galloway, constable of Scotland, Warin Fitz Gerald, Peter Fitz Herebert, and Hubert de Burgh, seneschal of Poictou, Hugh de Neville, Matthew Fitz Herebert, Thomas Basset, Alan Basset, Philip Albiney, Robert de Ropele, John Marefchall, John Fitz Hugh, and other our liege men, have, in the first place, granted to God, and by this our present charter confirmed, for us and our heirs for ever:

I. That the church of England † shall be free, and enjoy her rights entire, and her liberties inviolable; and we will have them so observed that it may appear from hence, that the freedom of elections, which was reckoned chief and indispensable to the English church, and which we granted and confirmed by our charter, and obtained the confirmation of, from pope Innocent III. before the discord between us and our barons, was granted of mere free will, which charter we shall observe, and we do will it to be faithfully observed by our heirs for ever.

II. We also grant to all freemen of our kingdom, for us and for our heirs for ever, all the under-written liberties, to have and to hold, them and their heirs, of us and our heirs.

III. If any of our earls ‡ or barons, or others, who hold of us in chief by military service, shall die,

(1) Omitted in Charta Hen. III.

* King John was the first of the kings of England (as fir Edward Coke observes) that in his grants wrote in the plural number; other kings before him wrote in the singular number: they used Ego, I; king John, and all the kings after him, Nos, We. Coke's Institut. p. 2.

† That is, all ecclesiastical persons within the realm, their

possessions and goods, shall be freed from all unjust exactions and oppressions; but, notwithstanding, shall yield all lawful duties, either to the king, or to any of his subjects. Coke, ibid.

‡ There was no duke, marquis, or viscount then in England. The first duke was Edward the Black Prince, who was created

King John signing Magna Charta.



*To his Grace
Duke of
This State is most*



*Charles Powlet,
Bolton
humbly Inscribed.*



vitium militare mortuus fuerit, & cum decesserit heres suus plene etatis fuerit & relevium debeat, habeat hereditatem suam per antiquum relevium; scilicet, heres vel heredes comitis de baronia comitis integra per centum libras; heres vel heredes baronis de baronia integra per centum libras; heres vel heredes militis de feodo milites integro per centum solidos ad plus; & qui minus debuerit, minus det, secundum antiquam consuetudinem feodorum.

IV. Si autem heres alicujus talium fuerit infra etatem, & fuerit in custodia cum ad etatem pervenerit, habeat hereditatem suam sine relevio & sine fine.

V. Custos terre hujusmodi heredis qui infra etatem fuerit, non capiat de terra heredis nisi rationabiles exitus, & rationabiles consuetudines, & rationabilia servitia, & hoc sine destructione et vasto hominum vel rerum; & si nos commiserimus custodiam alicujus talis terre vicecomiti, vel alicui alio qui de exitibus illius nobis respondere debeat, & ille destructionem de custodia fecerit vel vastum, nos ab illo capiemus emendam, & terra committatur duobus legalibus & discretis hominibus de feodo illo, qui de exitibus respondeant nobis vel ei cui eos assignaverimus; & si dederimus vel venderimus alicui custodiam alicujus talis terre, & ille destructionem inde fecerit, vel vastum amittat ipsam custodiam, & tradatur duobus legalibus & discretis hominibus de feodo illo, qui similiter nobis respondeant sicut predictum est.

VI. Custos autem, quamdiu custodiam terre habuerit, sustentet domos, parcos, vivaria, stagna, molendina, & cetera ad terram illam pertinentia, de exitibus terre ejusdem, & reddat heredi, cum ad plenam etatem pervenerit, terram suam totam instauratam de carrucis & wainnagiis, secundum quod tempus wainnagii exiget & exitus terre rationabiliter poterunt sustinere.

VII. Heredes

created duke of Cornwall anno 11 Edw. III. Robert de Vere, earl of Oxford, was created marquis of Dublin in 8 Rich. II. The first viscount on record, and who sat in parliament by that title, was John, viscount Beaumont, created 18 Henry VI. Coke, p. 5.

* For the understanding of this article, it must be observed, that when any of the king's tenants in capite (or chief) died, the king, as guardian to his heir, seized his lands, which remained with the crown till the heir was of age: but when the heir had attained his one-and-twentieth year, he could sue to have his estate upon doing homage to the king, and paying a certain composition, called Relief, which at first was settled according to every man's degree, from an earl to a farmer. See Rapin, p. 163, note h, and note III. p. 251, 252. But it seems that, sometime before king John's reign, there had been a heavy encroachment of an uncertain relief, at will and pleasure, which, under a fair term, was called Rationabile Relevium, a Reasonable Relief. This clause, therefore, sets this matter again upon its ancient footing. See sir Edward Coke's Second Institute, p. 7.

die, and at the time of his death his heir shall be of full age and owes a relief, he shall have his inheritance by the ancient relief*; that is to say, the heir or heirs of an earl for a whole earl's barony, by an hundred pounds; the heir or heirs of a baron for a whole barony, by an hundred pounds†; the heir or heirs of a knight for a whole knight's fee, by an hundred shillings at most; and whoever oweth less, shall give less, according to the ancient custom of fees.

IV. But if the heir of any such shall be under age and shall be in ward‡ [his lord shall not have the wardship of him, nor his land, before he hath received his homage, and after such heir shall be in ward, and attain to the age of one-and-twenty years] when he comes of age he shall have his inheritance without relief and without fine§.

[Yet so, that if he be made a knight while he is under age, nevertheless the lands shall remain in the custody of the lord until the aforesaid time.]

V. The warden of the land of such heir who shall be under age, shall not take of the land of such heir other than reasonable issues, reasonable customs, and reasonable services§, and that without destruction and waste of the tenants or effects [upon the estate]; and if we shall commit the guardianship of those lands to the sheriff, or any other who is answerable to us for the issues of the land, and if he shall make destruction and waste upon the ward-lands, we will compel him to give satisfaction, and the land shall be committed to two lawful and discrete tenants of that fee, who shall be answerable for the issues to us, or to him whom we shall assign them: and if we shall give or sell to any one the wardship of any such lands, and if he makes destruction or waste upon them, he shall lose the wardship itself, which shall be committed to two lawful and discrete tenants of that fee, who shall in like manner be answerable to us as aforesaid.

VI. But the warden, so long as he shall have the wardship of the land, shall keep up the houses, parks, warrens, ponds, mills, and other things pertaining to the land, out of the issues of the same land, and shall restore to the heir, when he comes of full age, his whole land stocked with ploughs and carriages, according as the time of wainage shall require and the issues of the land can reasonably bear. [And all these things shall be observed in the custody of vacant archbishoprics, bishoprics, abbeyes, priories, churches, and dignities which appertain to us; except that these wardships are not to be sold.]

VII. Heirs

† Thus the Cottonian copy has it, which seems to be a mistake; for the ancient relief of an earldom, a barony, and the livery of a knight was the fourth part of the yearly value of each. Now the yearly value of a barony was to consist of thirteen knights fees and a quarter, which by just account amounted to four hundred marks per annum; therefore his relief was one hundred marks, and not an hundred pounds. See Coke, *ibid.* p. 7.

‡ As long as the heirs of the king's tenants in chief were under age, they were said to be in ward; but this wardship was taken away by statute 12 Car. II. cap. xxiv.

§ By being made a knight, the heir was out of ward as to his body; but his land remained in the custody of the lord, as in this article. Coke, p. 11.

§ By Issues are meant the rents and profits of the lands or tenements of the ward; by Customs, things due by custom or prescription, and appendant to the lands or tenements in ward; by Services, the drudgery and labour due from copyholders to their lords. Coke, p. 12, 13.

VII. Heredes maritentur absque disparagatione, (1) ita tamen quod antequam contrahatur matrimonium ostendatur propinquis de consanguinitate ipsius heredis.

VIII. Vidua, post mortem mariti sui, statim & sine difficultate habeat maritagium & hereditatem suam, nec aliquid det pro dote sua, vel pro maritaggio suo, vel hereditate sua, quam hereditatem maritus suus & ipsa tenuerint die obitus ipsius mariti; & maneat in domo mariti sui per quadraginta dies post mortem ipsius, infra quos assignetur ei dos sua.

IX. Nulla vidua distringatur ad se maritandum dum voluerit vivere sine marito; ita tamen quod securitatem faciat quod se non maritabit sine assensu nostro, si de nobis tenuerit; vel sine assensu domini sui de quo tenuerit, si de alio tenuerit.

X. Nec nos, nec ballivi nostri, seisiemus terram aliquam nec redditum pro debito aliquo quamdiu catalla debitores sufficiunt ad debitum reddendum; nec pleggii ipsius debitoris distringantur, quamdiu ipse capitalis debitor sufficit ad solutionem debiti.

XI. Et si capitalis debitor defecerit in solutione debiti, non habens unde solvat, pleggii respondeant de debito, & si voluerint habeant terras & redditus debitoris, donec fit eis satisfactum de debito quod ante pro eo solverint, nisi capitalis debitor monstraverit se esse quietum inde versus eosdem pleggios.

XII. (2) Si quis mutuo ceperit aliquid a Judeis, plus vel minus, & moriatur antequam debitum illud solvatur, debitum non usuret quamdiu heres fuerit infra etatem, de quocumque teneat: & si debitum illud inciderit in manus nostras, nos non capiemus nisi catellum contentum in charta.

XIII. (3) Et si quis moriatur, & debitum debeat Judeis, uxor ejus habeat dotem suam, & nichil reddat de debito illo; & si liberi ipsius defuncti, qui fuerint infra etatem remanserint, provideantur iis necessaria secundum tenementum quod fuerit defuncti; & de residuo solvatur debitum, salvo servitio dominorum. Simili modo fiat de debitis que debentur aliis quam Judeis.

XIV. Nullum

VII. Heirs shall be married without disparagement*, so as that before matrimony shall be contracted, those who are nearest in blood to the heir shall be made acquainted with it.

VIII. A widow, after the death of her husband, shall forthwith, and without difficulty, have her marriage† and inheritance; nor shall she give any thing for her dower, or her marriage, or her inheritance, which her husband and she held at the day of his death; and she may remain in the mansion-house of her husband forty days after his death, within which term her dower shall be assigned, [if it was not assigned before, or unless the house be a castle. And if she departs from the castle, there shall forthwith be provided for her a complete house, in which she may decently dwell till her dower be to her assigned, as hath been said; and she shall in the mean time have her reasonable est-over (i. e. competent maintenance) out of the common revenue: and there shall be assigned to her, for her dower, the third part of all her husband's lands which were in his life-time, except she were endowed with less at the church-door.]

IX. No widow shall be distrained‡ to marry herself so long as she has a mind to live without a husband; but yet she shall give security that she will not marry without our assent, if she holds of us; or without the consent of the lord of whom she holds, if she holds of another.

X. Neither we, nor our bailiffs||, shall seize any land or rent§ for any debt, so long as there shall be chattels of the debtors upon the premises sufficient to pay the debt [and the debtor be ready to satisfy it]; nor shall the sureties of the debtor be distrained so long as the principal debtor is sufficient for the payment of the debt.

XI. And if the principal debtor shall fail in the payment of the debt, not having wherewithal to pay it [or will not discharge it when he is able], then the sureties shall answer the debt; and if they will, they shall have the lands and rents of the debtor, until they shall be satisfied for the debt which they paid for him, unless the principal debtor can shew himself acquitted thereof against the said sureties.

XII. If any one have borrowed any thing of the Jews, more or less, and dies before the debt be satisfied, there shall be no interest paid for that debt, so long as the heir is under age, of whomsoever he may hold: and if the debt falls into our hand, we will take only the chattel mentioned in the charter of instrument.

XIII. And if any one shall die indebted to the Jews, his wife shall have her dower, and pay nothing of that debt; and if the deceased left children under age, they shall have necessaries provided for them according to the tenement or real estate of the deceased; and out of the residue the debt shall be paid, saving, however, the service of the lords. In like manner let it be with the debts due to other persons than Jews.

XIV. No

(1) Omitted in Charta Hen. III.

(2) Omitted in Charta Hen. III.

(3) Omitted in Charta Hen. III.

* That is, according to their rank, &c. Disparagement, in a legal sense, was used for matching an heir in marriage under his degree, or against decency. Jacob's Law Dict.

† Maritagium, that is, shall have liberty to marry whom she will. It appears by Bracton, that an heiress could not marry without the leave and consent of the lords of whom she held her estates, otherwise she forfeited them.

‡ Compelled by seizing her goods.

|| In this place, the sheriff and his under-bailiffs are intended and meant, says sir Edward Coke.

§ By order of the common law, the king for his debt had execution of the body, lands, and goods of the debtor; so that this is an act of grace, restraining the power the king had before.

XIV. Nullum scutagium vel auxilium ponatur in regno nostro nisi per commune concilium regni nostri, nisi ad corpus nostrum redimendum; & primogenitum filium nostrum militem faciendum; & ad filiam nostram primogenitam semel maritandam; & ad hec non fiat nisi rationabile auxilium.

XV. Simili modo fiat de auxiliis de civitate London. & civitas London. habeat omnes antiquas libertates, & liberas consuetudines suas tam per terras quam per aquas.

XVI. Preterea volumus & concedimus, quod omnes alie civitates, & burgi, & ville, & portus habeant omnes libertates & liberas consuetudines suas. Et ad habendum commune concilium regni de auxilio assinendo, aliter quam in tribus casibus predictis.

XVII. (1) Vel de scutagio assidendo, summoneri faciemus archiepiscopos, episcopos, abbates, comites, & majores barones sigillatim per literas nostras.

XVIII. (2) Et preterea faciemus summoneri in generali per vicecomites & ballivos nostros, omnes illos qui de nobis tenent in capite ad certum diem, scilicet ad terminum quadraginta dierum ad minus, & ad certum locum, & in omnibus literis illius summonitionis causam summonitionis exprimemus.

XIX. (3) Et sic facta summonitione negotium ad diem assignatum procedat secundum concilium illorum qui presentes fuerint, quamvis non omnes summoniti venerint.

XX. Nos non concedemus de cetero alicui quod capiat auxilium de liberis hominibus suis, nisi ad corpus suum redimendum; & ad faciendum primogenitum filium suum militem; & ad primogenitam filiam suam semel maritandam; & ad hec non fiat nisi rationabile auxilium.

XXI. Nullus distringatur ad faciendum majus servitium de feodo militis nec de alio libero tenemento quam inde debetur.

XXII. Communia placita non sequantur curiam nostram, sed teneantur in aliquo loco certo. Recognitiones de nova disseisina, de morte antecessoris, & de ultima presentatione non capiantur nisi in suis comitatibus, & hoc modo: nos, vel si extra regnum fuerimus, capitalis justiciarius noster, mitemus duos justiciarios per unumquemque comitatum, per quatuor vices in anno; qui cum quatuor militibus cujuslibet comitatus electis per comitatum, capiant in comitatu, & in die & loco comitatus assisas predictas.

XXIII. Et si, in die comitatus, assise predictae capi non possint, tot milites & libere tenentes remaneant de illis qui interfuerint comitatui die illo per

XIV. No scutage ¶ or aid shall be imposed in our kingdom unless by the common council of our kingdom; except for ransoming our person; and making our eldest son a knight; and one for marrying our eldest daughter; and for these there shall be paid only a reasonable aid.

XV. In like manner it shall be concerning the aids of the city of London: and the city of London shall have all its ancient liberties and free customs, as well by land as by water.

XVI. Furthermore, we will and grant that all other cities, and boroughs, and towns, [and barons of the cinque ports*,] and ports, shall have all their liberties and free customs. And for holding the common council of the kingdom concerning the assessment of their aids, except in the three cases aforesaid.

XVII. And for the assessing of scutages, we shall cause to be summoned, the archbishops, bishops, abbots, earls, and great barons of the realm singly by our letters.

XVIII. And farthermore, we shall cause to be summoned in general, by our sheriffs and bailiffs, all others who hold of us in chief†, at a certain day, that is to say, forty days before their meeting at least, and to a certain place; and in all letters of such summons we will declare the cause of the summons.

XIX. And summons being thus made, the business of the day shall proceed on the day appointed, according to the advice of such as shall be present; although all that were summoned come not.

XX. We will not, for the future, grant to any one that he may take aid of his own free tenants, unless to ransom his body; and to make his eldest son a knight; and once to marry his eldest daughter; and for this there shall only be paid a reasonable aid.

XXI. No man shall be distrained to perform more service for a knight's fee, or other free tenement, than is due from thence.

XXII. Common pleas shall not follow our court, but shall be holden in some certain place. Trials upon the writs of Novel disseisin and of Mort d'ancestor, and of Darreine presentment‡, shall not be taken but in their proper counties, and after this manner: we, or, if we shall be out of the realm, our chief justiciary shall send two justiciaries through every county four times a year, who, with four knights chosen out of every shire by the people, shall hold the said assizes, in the county, on the day, and at the place appointed.

XXIII. And if any matters cannot be determined on the day appointed for holding the assizes in each county, so many of the knights and

(1) Omitted in Charta Hen. III.

(2) Omitted in Charta Hen. III.

(3) Omitted in Charta Hen. III.

¶ Scutage, as we have elsewhere observed, was military service due to the king from his tenants in chief. It is to be understood likewise of what the feudatories paid the king in lieu of that service; and also of the tax which was imposed on each vassal for the service of the public. Since William the Conqueror, the kings had frequently imposed scutages without the consent of the states. Rapin.

* The Cinque Ports are five havens, which lie on the east part of England (in Kent), towards France, so called by way of eminence, viz. Hastings, Dover, Romney, Hith, and Sandwich; to which Rye and Winchelsea are now added. They are under the jurisdiction of the constable of Dover castle, and were first established by William I. for the better security of the coasts.

† It seems by this article, that none but tenants in chief

had a right to sit in the common council, or parliament, otherwise it was natural to mention here the representatives of the commons, had they enjoyed that right in those days. Rapin.

‡ A writ of Novel Disseisin lies where a tenant for ever, or for life, is put out and disseised of his land, tenement, or other immoveable or incorporeal right, that he may recover such right. Jacob. A writ of Mort d'Ancestor is brought against any one, being a stranger, who seizes upon lands, rents, or tenements upon the death of another man's near relations, who were in possession of those lands, &c. A writ of Darreine Presentment lies where a man and his ancestors have presented to a church, and, after it is become void, a stranger presents thereto, whereby the person having right is disturbed. Coke.

per quos possint judicia sufficienter fieri, secundum quod negotium fuerit majus vel minus.

XXIV. Liber homo non amercietur pro parvo delicto, nisi secundum modum delicti; & pro magno delicto amercietur secundum magnitudinem delicti; salvo contemento suo; & mercator eodem modo salva mercandisa sua.

XXV. Et villanus eodem modo amercietur, salvo wainnagio suo, si inciderint in misericordiam nostram; & nulla dictarum misericordiarum ponatur nisi per sacramentum proborum hominum de visneto.

XXVI. Comites & barones non amercientur, nisi per pares suos, & non nisi secundum modum delicti.

XXVII. Nullus clericus amercietur de laico tenemento suo, nisi secundum modum aliorum predictorum, & non secundum quantitatem beneficii sui ecclesiastici.

XXVIII. Nec villa, nec homo distringatur facere pontes ad riparias, nisi qui ab antiquo & de jure facere debent.

XXIX. Nullus vicecomes, constabularius, coronatores, vel alii ballivi nostri teneant placita corone nostre.

XXX. (1) Omnes comitatus, hundredi, wapentakia, & trethingi sint ad antiquas firmas absque ullo incremento, exceptis dominicis maneriis nostris.

XXXI. Si aliquis tenens de nobis laicum feodum, moriatur, & vicecomes vel ballivus noster ostendat literas nostras patentes de summonitione nostra de debito quod defunctus nobis debuit; liceat vicecomiti vel ballivo nostro attachiare & inbreviare catalla defuncti inventa in laico feodo ad valentiam illius debiti, per visum legalium hominum, ita tamen quod nichil inde amoveatur, donec persolvatur nobis debitum; quod clarum fuerit & residuum relinquatur executoribus ad faciendum testamentum defuncti: & si nichil nobis debeatur ab ipsa omnia catalla cedant defuncto, salvo uxori ipsius & pueris rationabilibus partibus suis.

XXXII. (2) Si quis liber homo intestatus decesserit, catalla sua per manus propinquorum, parentum, & amicorum suorum per visum ecclesie distribuuntur; salvo unicuique debitis que defunctus ei debebat.

XXXIII. Nullus

and freeholders as have been at the assizes aforesaid, shall be appointed to decide them, as is necessary, according as there is more or less business. [Assizes of Darienne presentment to churches shall be always taken before the justiciaries of the bench.]

XXIV. A freeman * shall not be amerced for a small fault, but according to the degree of the fault: and for a great crime, in proportion to the heinousness of it; saving to him his contement †; and after the same manner a merchant, saving to him his merchandize.

XXV. And a villain ‡ [of any other than our own] shall be amerced after the same manner, saving to him his wainage ||, if he falls under our mercy; and none of the aforesaid amerciements & shall be assessed but by the oath of honest men of the neighbourhood [or of the county.]

XXVI. Earls and barons shall not be amerced but by their peers ¶, and according to the degree of the offence.

XXVII. No ecclesiastical person shall be amerced for his lay-tenement, but according to the proportion of the others aforesaid, and not according to the value of his ecclesiastical benefice.

XXVIII. Neither a town, nor any tenant shall be distrained to make bridges over rivers, unless that anciently and of right they are bound to do it. [No river for the future shall be imbanked, but what was imbanked in the time of king Henry our grand-father.]

XXIX. No sheriff, constable **, coroners, or other our bailiffs shall hold pleas of the crown.

XXX. All counties, hundreds, wapentakes, and trethings shall stand at the old ferm, without any increase, except in our demesne manors.

XXXI. If any one, holding of us a lay-fee, dies, and the sheriff or our bailiff shew our letters patent of summons concerning the debt due to us from the deceased, it shall be lawful for the sheriff or our bailiff to attach and register the chattels of the deceased found upon his lay fee, to the value of the debt, by the view of lawful men, so as nothing be removed until our whole debt be paid; and the rest shall be left to the executors, who are to fulfil the will of the deceased: and if there be nothing due from him to us, all the chattels shall remain to the deceased, saving to his wife and children their reasonable shares.

XXXII. If any free man shall die intestate, his chattels shall be distributed by the hands of his nearest relations and friends by view of the church; saving to every one his debts which the deceased owed to him.

XXXIII. No

(1) Omitted in Charta Hen. III.

* By Freemen here, and in most places, must be understood Freeholders, i. e. those that held their lands of the king, or some other lord, by a certain relief.

† Contementum, is to be understood of the means of a man's livelihood; as the arms of a soldier, the plough, &c. of a husbandman, &c.

‡ For an Explanation of this word, see p. 184. note ¶, of this History.

|| That is, in his carts, and implements of husbandry.

§ Amerciament is derived from the French word Merci, and signifies the pecuniary punishment laid upon an offender against the king, or other lord, in his court, that is found to have of-

(2) Omitted in Charta Hen. III.

fended and to stand at the mercy of the king or his lord. Jacob.

¶ In England there are two orders or degrees of subjects, peers of the realm and commoners: the nobles have for their peers all the peers of the realm, and the commoners are all reckoned peers of one another.

** Is here taken for constable of a castle. They were in ancient times persons of account and authority, and for pleas of the crown, &c. had the like authority within their precincts as the sheriff had within his bailiwick before this act, and they commonly sealed with their portraiture on horseback. Regularly every castle contains a manor, so that every constable of a castle is constable of a manor.

XXXIII. Nullus constabularius vel alius ballivus noster capiat blada, vel alia catalla alicujus, nisi statim inde reddat denarios, aut respectum inde habere possit de voluntate venditoris.

XXXIV. Nullus constabularius distringat aliquem militem ad dandum denarios pro custodia castri, si facere voluerit custodiam illam in propria persona sua, vel per alium probum hominem, si ipse eam facere non possit propter rationabilem causam.

XXXV. Et si nos duxerimus vel miserimus eum in exercitum, erit quietus de custodia secundum quantitatem temporis quo per nos fuerit in exercitu.

XXXVI. Nullus vicecomes vel ballivus noster, vel aliquis alius, capiat equos vel caretas alicujus liberi hominis pro carragio faciendo, nisi de voluntate ipsius liberi hominis.

XXXVII. Nec nos, nec ballivi nostri capiemus alienum boscum ad castra vel alia agenda nostra, nisi per voluntatem ipsius cujus boscus ille fuerit.

XXXVIII. Nos non tenebimus terras illorum qui convicti fuerint de feloniam nisi per unum annum & unum diem, & tunc reddantur terre dominis feodorum.

XXXIX. Omnes kydelli de cetero deponantur, penitus de Thamisia & de Medewaye, & per totam Angliam, nisi per costeram maris.

XL. Breve quod vocatur Precipe, de cetero non fiat alicui de aliquo tenemento unde liber homo amittere possit curiam suam.

XLI. Una mensura vini sit per totum regnum nostrum, & una mensura cervisie, & una mensura bladi, scilicet quarterium Londoniense; & una latitudo pannorum tinctorum, & ruffetorum, & halberjettorum, scilicet due ulne infra listas: de ponderibus autem sit ut de mensuris.

XLII. Nichil detur vel capiatur de cetero pro brevi Inquisitionis de vita vel membris sed gratis concedatur & non negetur.

XLIII. Si aliquis teneat de nobis per feodifirmam, vel per focagium, vel per burgagium, & de alio terram teneat per servitium militare, nos non habemus custodiam heredis, nec terre sue, que est de feodo alterius, occasione illius feodifirme, vel focagii, vel burgagii, nec habebimus custodiam illius feodifirme, vel focagii, vel burgagii, nisi ipsa feodifirma debeat servitium militare.

XLIV. Nos non habebimus custodiam heredis vel terre alicujus quam tenet de alio per servitium militare, occasione alicujus parve sergenterie quam tenet de nobis per servitium reddendi nobis cultellos, vel sagittas, vel hujusmodi.

XLV. Nullus

XXXIII. No constable or bailiff of ours shall take corn, or other chattles, of any man [who is not of the town where the castle is], unless he presently give him money for it, or hath respite of payment by the good-will of the feller: [but if he be of the same town, he shall pay him within forty days.]

XXXIV. No constable shall distrain any knight to give money for castle-guard, if he himself will do it in his own person, or by another able man, in case he cannot do it through any reasonable cause.

XXXV. And if we lead him or send him into the army, he shall be free from such guard for the time he shall be in the army by our command, [for the fee for which he did service in the army.]

XXXVI. No sheriff or bailiff of ours, or any other, shall take horses or carts of any free man for carriage, but by the good-will of the said free man, [without paying according to the rate anciently appointed, that is to say, for a cart and two horses ten pence a day, and a cart with three horses fourteen pence a day.]

XXXVII. Neither shall we or our bailiffs take any man's timber for our castles, or other uses, unless by the consent of the owner of the timber. [No demesne cart of any ecclesiastical person, or knight, or any lady shall be taken by our officers.]

XXXVIII. We will retain the lands of those that are convicted of felony only one year and a day, and then they shall be delivered to the lord of the fee.

XXXIX. All wears § for the time to come shall be put down in the rivers of Thames and Medway, and throughout all England, except upon the sea-coast.

XL. The writ which is called Præcipe*, for the future shall not be made out to any one of any tenement, whereby a free man may lose his court.

XLI. There shall be one measure of wine, and one of ale, through our whole realm, and one measure of corn, that is to say, the London quarter; and one breadth of dyed cloth, and ruffets, and haberjects †, that is to say, two ells within the lists: as to weights, they shall be as the measures.

XLII. From henceforward nothing shall be given or taken for a writ of Inquisition of life or limbs ‡, but it shall be granted gratis, and not denied.

XLIII. If any one holds of us by fee-farm, or socage, or burgage ||, and holds lands of another by military service, we will not have the wardship of the heir or land, which is of another man's fee, by reason of what he holds of us by fee-farm, socage, or burgage; nor will we have the wardship of the fee-farm, socage, or burgage, unless the fee-farm is bound to perform military service.

XLIV. We will not have the wardship of an heir, nor of any land which he holds of another, by military service, by reason of any petit serjeantry he holds of us, as by the service of giving us knives, arrows, or the like.

XLV. No

§ A dam in a river, for taking fish.

* From the words "Præcipe quod reddat," with which it begins. It is in general an order from the king, or some of his courts of justice, to put in possession one who complains of having been unjustly ousted. Apparently several abuses had crept in upon this article. Rapin.

† A sort of coarse cloth, of a mixed colour.

‡ This was a writ, directed to the sheriff, to enquire whe-

ther a man committed to prison on suspicion of murder, was committed on just cause of suspicion, or only out of malice and ill-will. Jacob.

|| To hold in Fee-farm, is when there is some rent reserved by the lord, upon the creation of the tenancy: to hold in Burgage, is when the inhabitants of a borough hold their tenements of the king at a certain rent. For Socage, see p. 184. n. §.

XLV. Nullus ballivus ponat de cetero aliquem ad legem simplici loquela sua sine testibus fidelibus ad hoc inductis.

XLVI. Nullus liber homo capiatur, vel imprisonetur, aut disseisietur, aut utlagetur, aut exuletur, aut aliquo modo destruatur, nec super eum ibimus, nec super eum mittemus, nisi per legale iudicium parium suorum vel per legem terre.

XLVII. Nulli vendemus, nulli negabimus, aut differemus rectum aut justiciam.

XLVIII. Omnes mercatores habeant saluum & securum exire de Anglia & venire in Angliam, & morari & ire per Angliam, tam per terram quam per aquam, ad emendum & vendendum, sine omnibus malis tollis, per antiquas & rectas consuetudines preterquam in tempore guerre, & si sint de terra contra nos gwerrina.

XLIX. Et si tales inveniantur in terra nostra in principio guerre, attachientur sine dampno corporum & rerum, donec sciatur a nobis, vel capitali iusticiario nostro quomodo mercatores terre nostre tractentur qui tunc inveniuntur in terra contra nos gwerrina, & si nostri salvi sint ibi, alii salvi sint in terra nostra.

L. (1) Liceat unicuique de cetero exire de regno nostro & redire salvo & secure, per terram & per aquam, salva fide nostra; nisi tempore guerre per aliquod breve tempus propter communem utilitatem regni; exceptis imprisonatis & utlagatis, secundum legem regni, & gente de terra contra nos gwerrina, & mercatoribus de quibus fiat sicut predictum est.

LI. Si quis tenuerit de aliqua escheata, sicut de honore Wallingford, Notingham, Bononia, Lankastrie, vel de aliis escheatis que sunt in manu nostra, & sunt baronie, & obierit, heres ejus non det aliud relevium, nec faciet nobis aliud servitium quam faceret baroni si baronia illa esset in manu baronis, & nos eodem modo eam tenebimus quo baro eam tenuit.

LII. (2) Homines qui manent extra forestam non veniant de cetero coram iusticiariis nostris de foresta per communes summonitionis nisi sint in placito vel pleggii alicujus vel aliquorum qui attachiati sint pro foresta.

LIII. Nos

XLV. No bailiff for the future shall put any man to his law § [nor to an oath] upon his single word, without credible witnesses to prove it.

XLVI. No freeman shall be taken, or imprisoned, or disseised [of his freehold, or liberties, or free customs,] or outlawed, or banished, or any ways destroyed; not will we pass upon him, or commit him to prison, unless by the lawful judgment of his peers, or by the law of the land ¶.

XLVII. We will sell to no man, we will deny no man, nor delay right nor justice.

XLVIII. All merchants [unless they be publicly prohibited] shall have safe and secure conduct to go out of, and to come into England *, and to stay there, and to pass as well by land as by water, for buying and selling by the ancient and allowed customs, without any evil (heavy) tolls, except in time of war, or when they are of any nation at war with us.

XLIX. And if there be found any such in our land in the beginning of the war, they shall be attached without damage to their bodies or goods, until it be known unto us, or our chief-justiciary, how our merchants are treated in the nation at war with us; and if ours be safe there, the others shall be safe in our dominions.

L. It shall be lawful for the time to come, for any one to go out of our kingdom and return safely and securely, by land or by water, saving his allegiance to us, unless in time of war by some short space for the common benefit of the realm; except prisoners and outlaws, according to the law of the land, and people in war with us, and merchants who shall be in such condition as is above-mentioned.

LI. If any man holds of any escheat, as of the honour of Wallingford, Nottingham, Boulogne, Lancaster, or of other escheats which are in our hands, and are baronies, and dies, his heir shall give no other relief, and perform no other service to us, than he would to the baron, if the barony were in possession of the baron; we will hold it after the same manner the baron held it. [Nor will we, by reason of such barony or escheat, have any escheat or wardship of any of our men, unless he that held the barony or escheat, held of us in chief elsewhere.]

LII. Those men who dwell without the forest, from henceforth shall not come before our justiciaries of the forest upon common summons, but such as are impleaded or are pledges for any that were attached for something concerning the forest. [No county-court for the future shall be holden but from month to month; and where there used to be a greater interval, let it be so continued. Neither any sheriff, nor his bailiff, shall keep his turn in the hundred oftener than twice in a year, and only in the accustomed place; that is, once after Easter, and once after Michaelmas; and the view of frankpledge shall be held after Michaelmas, without occasion †, and so that every one shall have his liberties, which he had and was wont to have in the time of king Henry, our grand-father, or such as he obtained afterwards. But the view of frankpledge shall be so made that our peace may be kept, and

(1) Omitted in Charta Hen. III.

§ To make his Law, is as much as to say, to take his Oath.

¶ That is, says Dr. Brady, by legal process, &c.

* By some ancient laws of England, foreign merchants were

(2) Omitted in Charta Hen. III.

forbid coming into the kingdom, except in fair-time, and then were not to stay above forty days. Coke, p. 57.

† Sine occasione, that is, without oppression. Brady.

LIII. Nos non faciemus justiciarios, constabularios, vicecomites, vel ballivos nisi de talibus qui fiant legem regni, & eam bene velint observare.

LIV. Omnes barones qui fundaverunt abbatias unde habent cartas regum Anglie, vel antiquam tenuram, habeant earum custodiam cum vacaverint, sicut habere debent.

LV. Omnes foreste que aforestate sunt tempore nostro, statim deafforestentur; & ita fiat de ripariis que per nos tempore nostro, posite sunt in defenso.

LVI. Omnes male consuetudines de forestis, warrenis, & de forestariis & warennariis, vicecomitibus, & eorum ministris, ripariis & earum custodibus, statim inquirantur in quolibet comitatu, per duodecim milites juratos de eodem comitatu, qui debent eligi per probos homines ejusdem comitatus, & infra quadraginta dies post inquisitionem factam penitus, ita quod nunquam revocentur, deleantur. o—

LVII. Omnes obsides & cartas statim reddemus que liberate fuerunt nobis ab Anglicis in securitatem pacis, vel fidelis servitii.

LVIII. Nos amovebimus penitus de balliviis parentes Gerardi de Athyes, quod de cetero nullam habeant balliviam in Anglia: Engelardum de Cygony, Andream, Petrum, & Gyonem, de Cancellario, Gyonem de Cygony, Galfridum de Martyni & fratres ejus, Philippum Markum & fratres ejus, & Galfridum nepotem ejus, & totam sequelam eorundem.

LIX. Et statim post pacis reformationem, amovebimus de regno omnes alienigenas milites, ballivarios, servientes stipendarios, qui venerint cum equis & armis ad nocumentum regni.

LX. Si

and that the tything be full, as it was wont to be. And the sheriffs shall not seek occasions †, but shall be content with what the sheriff was wont to have for making his view in the time of king Henry, our grand-father. For the time to come, it shall not be lawful for any man to give his land to a religious house, so as to take it again and hold it of that house: nor shall it be lawful for any religious house to receive land, so as to grant it to him again of whom they received it, to hold it of him. If any man for the future shall so give his land to religious house, and be convicted thereof, his gift shall be void, and the land shall be forfeited to the lord of the fee ||. Scutage, for the future, shall not be taken as it was used to be taken in the time of king Henry, our grand-father; and that the sheriff shall oppress no man, but be content with what he was wont to have. Saving to the archbishops, bishops, abbots, priors, Templars, Hospitallers, earls, barons, knights, and all others, as well ecclesiastics as seculars, the liberties and free customs which they had before, these being witnesses, &c.]

LIII. We will not make any justiciaries, constables, sheriffs, or bailiffs, but such as are knowing in the law of the realm, and are disposed duly to observe it.

LIV. All barons who are founders of abbeys, and have charters of the kings of England for the advowson, or are entitled to it by ancient tenure, may have the custody of them when vacant, as they ought to have.

LV. All woods that have been taken into the forests [by king Richard, our brother] in our time shall forthwith be laid out again, unless they were our demesne woods; and the same shall be done with the rivers that have been taken or fenced in by us during our reign.

LVI. All evil customs concerning forests, warrens, forresters, and warreners; sheriffs, and their officers; rivers, and their keepers, shall forthwith be enquired into, in each county, by twelve knights sworn of the same shire, chosen by creditable persons in the same county, and upon oath; and, within forty days after the said inquest, be utterly abolished, so as never to be restored. [No freeman for the future shall give or sell any more of his land, but so that out of the residue the service due to the lord of the fee may be sufficiently performed.]

LVII. We will immediately give up all hostages and writings delivered unto us by our English subjects, as securities for their keeping the peace, and yielding us faithful service.

LVIII. We will entirely remove from our bailiwicks the relations of Gerard de Athyes, so that for the future they shall have no bailiwick in England: we will also remove Engelard de Cygony, Andrew, Peter, and Gyon from the Chancery; Gyon de Cygony, Geoffrey de Martyn and his brothers, Philip Mark, and his brothers, and his nephew Geoffrey, and their whole retinue.

LIX. As soon as peace is restored, we will send out of the kingdom all foreign soldiers, crossbowmen, and stipendiaries, who are come with horses and arms to the prejudice of our people.

LX. If

† Occasiones. Causes to oppress any man. Brady.

|| The reasons of these two articles were, because by holding their lands of the church, the service due from the fees, which were intended for the defence of the realm, were unduly with-

drawn; and because the chief lords lost the escheats, wardships, reliefs, and the like. Numberless methods were made use of to elude the force of this law; but an effectual stop was put to them at last by the statute of mortmain, 7 Edw. II.

LX. Si quis fuerit disseisitus vel elongatus per nos, sine legali iudicio parium suorum, de terris, castellis, libertatibus, vel jure suo, statim ea rei restituemur; & si contentio super hoc orta fuerit, tunc inde fiat per iudicium viginti quinque baronum, de quibus fit mentio inferius in securitate pacis.

LXI. De omnibus autem illis de quibus aliquis disseisitus fuerit vel elongatus, sine legali iudicio parium suorum, per Henricum regem, patrem nostrum, vel per Ricardum regem, fratrem nostrum, que in manu nostra habemus, vel que alii tenent, que nos oporteat warrantizare respectum habebimus usque ad communem terminum cruce-signatorum. Exceptis illis de quibus placitum motum fuit, vel inquisitio facta per preceptum nostrum, ante susceptione crucis nostre; cum autem redierimus de peregrinatione nostra, vel si forte remanserimus a peregrinatione nostra, statim inde plenam justiciam exhibebimus.

LXII. Eundem autem respectum habebimus, —o de forestis deafforestandis quas Henricus, pater noster, vel Ricardus, frater noster, afforestaverint, & de custodiis terrarum que sunt de alieno feodo, cujusmodi custodias hucusque habuimus occasione feodi quod aliquis de nobis tenuit per servitium militare, & de abbatibus que fundate fuerint in feodo alterius quam nostro, in quibus dominus feodi dixerit se jus habere; & cum redierimus, vel si remanserimus a peregrinatione nostra, super iis conquerentibus plenam justiciam statim exhibebimus.

LXIII. Nullus capiatur nec imprisonetur propter appellum femine de morte alterius quam viri sui.

LXIV. Omnes fines que injuste & contra legem terre facti sunt nobiscum. & omnia amerciamenta facta injuste & contra legem terre omnino condonentur, vel fiat inde per iudicium viginti quinque baronum de quibus fit mentio inferius in securitate pacis, vel per iudicium majoris partis eorundem, una cum predicto Stephano Cantuariensi archiepiscopo, si interesse poterit, & aliis quos secum ad hoc vocare voluerit; & si interesse non poterit, nichilominus procedat negotium sine eo. Ita quod, si aliquis vel aliqui de predictis viginti quinque baronibus fuerint in simili querela amoveantur quantum ad hoc iudicium, & alii loco illorum per residuos eisdem viginti quinque tantum ad hoc faciendum electi, & jurati substituantur.

LXV. Si nos disseisivimus vel elongavimus Walensis de terris, vel libertatibus, vel rebus aliis, sine legali iudicio parium suorum, eis statim redantur; & si contentio super hoc orta fuerit, tunc inde fiat in Marchia per iudicium parium suorum; de tenementis Anglie secundum legem Anglie, de tenementis Wallie secundum legem Wallie, de tenementis Marchie secundum legem Marchie; idem fuerint Walensis nobis & nostris.

LXVI. De omnibus autem illis de quibus aliquis Walensium disseisitus fuerit vel elongatus, sine legali

LX. If any one has been dispossessed or deprived by us, without the legal judgment of his peers, of his lands, castles, liberties, or right, we will forthwith restore them to him; and if any dispute arises upon this head, let the matter be decided by the five-and-twenty barons hereafter mentioned §, for the preservation of the peace.

LXI. As for all those things, of which any person has, without the legal judgment of his peers, been dispossessed or deprived, either by king Henry, our father, or our brother, king Richard, and which we have in our hands, or are possessed by others, and we are bound to warrant and make good, we shall have a respite till the term usually allowed the croises, excepting those things about which there is a plea depending, or whereof an inquest hath been made by our order before we undertook the crusade: but when we return from our pilgrimage, or if we do not perform it, we will immediately cause full justice to be administered therein.

LXII. The same respite we shall have for disafforesting the forests which Henry, our father, and our brother Richard have afforested; and for the wardship of the lands which are in another's fee, in the same manner as we have hitherto enjoyed those wardships, by reason of a fee held of us by knight's service; and for the abbeyes founded in any other fee than our own, in which the lord of the fee says he has a right; and when we return from our pilgrimage, or if we should not perform it, we will immediately do full justice to all the complainants in this behalf.

LXIII. No man shall be taken or imprisoned upon the appeal of a woman for the death of any other person than her husband.

LXIV. All unjust and illegal fines made with us, and all amerciaments imposed unjustly and contrary to the law of the land, shall be entirely forgiven, or else be left to the decision of the five-and-twenty barons hereafter mentioned for the preservation of the peace, or of the major part of them, together with the aforesaid Stephen, archbishop of Canterbury, if he can be present, and others whom he shall think fit to take along with him; and if he cannot be present, the business shall, notwithstanding, go on without him; but so that if one or more of the aforesaid five-and-twenty barons be plaintiffs in the same cause, they shall be set aside as to what concerns this particular affair, and others be chosen in their room out of the said five-and-twenty, and sworn by the rest to decide the matter.

LXV. If we have disseised or dispossessed the Welsh of any lands, liberties, or other things, without the legal judgment of their peers, they shall immediately be restored to them; and if any dispute arises upon this head, the matter shall be determined in the Marche by the judgment of their peers; for tenements in England according to the law of England, for tenements in Wales according to the law of Wales, for tenements of the Marche according to the law of the Marche; the same shall the Welsh do to us and our subjects.

LXVI. As for all those things of which a Welshman hath, without the legal judgment of his

§ Their names, according to Matt. Paris, were, the earls of Clare, Albemarle, Gloucester, Winchester, Hereford, earl Roger, earl Robert, earl Mareschal junior, Robert Fitz Walter senior, Gilbert de Clare, Eustace de Vesci, Hugh Bigod, William de Moubray, the mayor of London, Gilbert de La-

val, Robert de Ros, the constable of Chester, Richard de Percy, John Fitz Robert, William Mallet, Geoffrey de Say, Roger de Moubray, William de Huntingfeld, Richard de Montfichet, William de Albiney. Matt. Paris, p. 262.

legali iudicio parium suorum, ÷ per Henricum regem, patrem nostrum, vel Ricardum regem, fratrem nostrum, que nos in manu nostra habemus, vel que alii tenent que nos oporteat warrantizare, respectum habebimus usque ad communem terminum cruce-signatorum: illis exceptis de quibus placitum motum fuit, vel inquisitio facta per preceptum nostrum, ante susceptionem crucis nostre; cum autem redierimus, vel si forte remanserimus a peregrinatione nostra, statim eis inde plenam iusticiam exhibebimus, secundum leges Walensium, & partes predictas.

LXVII. Nos reddemus filium Lewelini statim, & omnes obsides de Wallia, & cartas que nobis liberate fuerunt in securitatem pacis.

LXVIII. Nos faciemus Alexandro regi Scotorum de sororibus suis & obsidibus reddendis, & libertatibus suis, & jure suo, secundum formam in qua faciemus aliis baronibus nostris Anglie, nisi aliter esse debeat per cartas quas habemus de Wilhelmo patre ipsius quondam rege Scotorum, & hoc erit per iudicium parium suorum in curie nostre.

LXIX. Omnes autem istas consuetudines predictas & libertates quas nos concessimus in regno nostro tenendas, quantum ad nos pertinet erga nostros omnes de regno nostro, tam clerici quam laici observent, quantum ad se pertinet erga suos.

LXX. Cum autem pro Deo, & ad emendationem regni nostri, & ad melius sopiendam discordiam inter nos & barones nostros ortam, hec omnia predicta concesserimus, volentes ea integra & firma stabilitate gaudere: facimus & concedimus eis securitatem subscriptam; videlicet quod barones eligant viginti quinque barones de regno, quos voluerint, qui debeant pro totis viribus suis, observare, tenere, & facere observari, pacem & libertates quas eis concessimus, & hac presenti carta nostra confirmavimus: ita scilicet, quod si nos, vel iusticiarius noster, vel ballivi nostri, vel aliquis de ministris nostris, in aliquo erga aliquem deliquerimus vel aliquem articulorum pacis aut securitatis transgressi fuerimus, & delictum ostensum fuerit quatuor baronibus de predictis viginti quinque baronibus, illi quatuor barones accedunt ad nos, vel ad iusticiarium nostrum si fuerimus extra regnum, proponentes nobis excessum, petent, ut excessum illum sine dilatione faciamus emendari: & si nos excessum non emendaverimus, vel si fuerimus extra regnum iusticiarius noster non emendaverit, infra tempus quadraginta dierum, computandum a tempore quo monstratum fuerit nobis, vel iusticiario nostro, si extra regnum fuerimus, predicti quatuor barones referent causam illam ad residuos de viginti quinque baronibus, & illi viginti quinque barones cum commune totius terre, distringent & gravabunt nos modis omnibus quibus poterunt, scilicet per captionem castrorum, terrarum, possessionum, & aliis modis quibus poterunt donec fuerit emendatum secundum arbitrium eorum, salva persona nostra, & regine nostre, & liberorum nostrorum: & cum fuerit emendatum, intendunt nobis sicut prius fecerunt.

his peers, been disseised or deprived by king Henry, our father, or our brother king Richard, and which we either have in our hands, or others are possessed of, and we are obliged to warrant it, we shall have a respite till the time generally allowed the croises, excepting those things about which a suit is depending, or whereof an inquest has been made by our order before we undertook the crusade: but when we return, or if we stay at home without performing our pilgrimage, we will immediately do them full justice, according to the laws of the Welsh and of the parts before-mentioned.

LXVII. We will, without delay, dismiss the son of Llewelyn and all the Welsh hostages, and release them from the engagements they have entered into with us, for the preservation of the peace.

LXVIII. We shall treat with Alexander, king of Scots, concerning the restoring his sisters and hostages, and his right and liberties, in the same form and manner as we shall do to the rest of our barons of England, unless by the charters, which we have from his father, William, late king of Scots, it ought to be otherwise; and this shall be left to the determination of his peers in our court.

LXIX. All the aforesaid customs and liberties, which we have granted, to be holden in our kingdom as much as it belongs to us, towards our people of our kingdom, as well clergy as laity, shall observe, as far as they are concerned, towards their dependents.

LXX. And whereas, for the honour of God and the amendment of our kingdom, and for quieting the discord that has arisen between us and our barons, we have granted all these things aforesaid; willing to render them firm and lasting, we do give and grant our subjects the underwritten security, namely, that the barons may chuse five-and-twenty barons of the kingdom, whom they think convenient, who shall take care, with all their might, to hold and observe, and cause to be observed, the peace and liberties we have granted them, and by this our present charter confirmed: so as that if we, our justiciary, our bailiffs, or any of our officers, shall in any circumstance fail in the performance of them towards any person, or shall break through any of these articles of peace and security, and the offence is notified to four barons, chosen out of the five-and-twenty beforementioned, the said four barons shall repair to us, or our justiciary, if we are out of the realm, and, laying open the grievance, shall petition to have it redressed without delay: and if it is not redressed by us, or, if we should chance to be out of the realm, if it is not redressed by our justiciary, within forty days, reckoning from the time it has been notified to us, or to our justiciary if we should be out of the realm, the four barons aforesaid shall lay the cause before the rest of the five-and-twenty barons; and the said five-and-twenty barons, together with the community of the whole kingdom, shall distrain and distress us all the ways possible, namely, by seizing our castles, lands, possessions, and in any other manner they can till the grievance is redressed according to their pleasure, saving harmless our own person, and the person of our queen, and children: and when it is redressed, they shall obey us as before.

LXXI. Et quicumque voluerit de terra juret, quod ad predicta omnia exequenda parebit mandatis predictorum viginti quinque baronum, & quod gravebit nos pro posse suo cum ipsis; & nos publice & libere damus licentiam jurandum cuilibet qui jurare voluerit, & nulli unquam jurare prohibebimus.

LXXII. Omnes autem illos de terra qui per se & sponte sua noluerint jurare viginti quinque baronibus, de distringendo & gravando nos cum eis, faciemus jurare eisdem de mandato nostro, sicut predictum est.

LXXIII. Et si aliquis de viginti quinque baronibus decesserit, vel a terra recesserit, vel aliquo alio modo impeditus fuerit, quo minus ista predicta possent exequi, qui residui fuerint de predictis viginti quinque baronibus, eligant alium loco ipsius pro arbitrio suo, qui simili modo erit juratus quo & ceteri.

LXXIV. In omnibus autem que istis viginti quinque baronibus committuntur exequenda, si forte ipsi viginti quinque presentes fuerint, & inter se super re aliqua discordaverint, vel aliqui ex eis summoniti, nolint vel nequeant interesse, ratum habeatur & firmum, quod major pars eorum qui presentes fuerint providerit vel preceperit, ac si omnes viginti quinque in hoc concessissent, & predicti viginti quinque jurent quod omnia antedicta fideliter observabunt & pro toto posse suo facient observari.

LXXV. Et nos nichil impetrabimus ab aliquo, per nos nec per alium, per quod aliqua istarum concessionum & libertatum revocetur vel minuat, & si aliquid tale impetratum fuerit irritum sit & inane; & nunquam eo utemur per nos nec per alium.

LXXVI. Et omnes malas voluntates indignationes, & rancores ortos inter nos & homines nostros, clericos & laicos, a tempore discordie, plene omnibus remisimus & condonavimus. Preterea omnibus transgressionem factas, occasione ejusdem discordie, a Pascha, anno regni nostri sexto decimo, usque ad pacem reformatam, plene remisimus omnibus, clericis & laicis, & quantum ad nos pertinet plene condonavimus.

LXXVII. Et insuper fecimus eis fieri literas testimoniales patentes domini Stephani, Cantuariensis archiepiscopi, domini Henrici, Dublinensis archiepiscopi, & episcoporum predictorum, & magistri Pandulphi, super securitate ista & concessionibus prefatis.

LXXVIII. Quare volumus & firmiter precipimus, quod Anglicana ecclesia liber sit, & quod homines in regno nostro habeant, & teneant, omnes prefatas libertates, jura, & concessionem, bene & in pace, libere & quiete, plene & integre, sibi & heredibus suis, de nobis & heredibus nostris, in omnibus rebus & locis, in perpetuum, sicut predictum est.

LXXIX. Juratum est autem, tam ex parte nostre quam ex parte baronum, quod hec omnia supradicta bona fide, & sine malo ingenio observabuntur.

Testibus supradictis, & multis aliis. Data per manum nostram, in prato quod vocatur Runingmede, inter Windelesor & Stanes, quinto decimo die Junii, anno regni nostri septimo decimo.

LXXI. And any person whatsoever in the kingdom may swear that he will obey the orders of the five-and-twenty barons aforesaid in the execution of the premises, and that he will distress us jointly with them to the utmost of his power; and we give public and free liberty to any one that shall please to swear to them, and never shall hinder any person from taking the same oath.

LXXII. As for all those of our subjects who will not, of their own accord, swear to join the five-and-twenty barons in distraining and distressing us, we will issue order to make them take the same oath as is aforesaid.

LXXIII. And if any one of the five-and-twenty barons dies, or goes out of the kingdom, or is hindered any other way from carrying the things aforesaid in execution, the rest of the said five-and-twenty barons may chuse another in his room at their discretion, who shall be sworn in in like manner as the rest.

LXXIV. In all things that are committed to the execution of these five-and-twenty barons, if, when they are all assembled together, they should happen to disagree about any matter, and some of them, when summoned, will not or cannot come, whatever is agreed upon, or enjoined, by the major part of those that are present, shall be reputed as firm and valid as if all the five-and-twenty had given their consent; and the aforesaid five-and-twenty shall swear that all the premises they shall faithfully observe, and cause with all their power to be observed.

LXXV. And we will not, by ourselves or by any other, procure any thing whereby any of these concessions and liberties be revoked or lessened; and if any such thing be obtained, let it be null and void, neither shall we ever make use of it, either by ourselves or any other.

LXXVI. And all the ill-will, anger, and malice that hath arisen between us and our subjects, of the clergy and laity, from the first breaking out of the dissention between us, we do fully remit and forgive: moreover, all trespasses occasioned by the said dissention, from Easter in the sixteenth year of our reign, till the restoration of peace and tranquillity, we hereby entirely remit to all, both clergy and laity, and, as far as in us lies, do fully forgive.

LXXVII. We have moreover granted them our letters patent testimonial of Stephen, lord archbishop of Canterbury, Henry, lord archbishop of Dublin, and the bishops aforesaid, as also of master Pandulph, for the security and concessions aforesaid.

LXXVIII. Wherefore, we will and firmly enjoin that the church of England be free, and that all men in our kingdom have and hold all the aforesaid liberties, rights, and concessions, truly and peaceably, freely and quietly, fully and wholly to themselves and their heirs, of us and our heirs, in all things and places, for ever, as is aforesaid.

LXXIX. It is also sworn, as well on our part as on the part of the barons, that all the things aforesaid shall faithfully and sincerely be observed.

Given under our hand, in presence of the witnesses above-named, and many others, in the meadow called Runingmede, between Windelesore and Stanes, the fifteenth day of June, in the seventeenth year of our reign.

o— Deleantur:] per eosdem ita quod nos hoc sciamus prius, vel iusticiarius noster si in Anglia non fuerimus.

—o Eundem autem respectum habebimus,] & eodem modo de iusticia exhibenda, **De forestis** deafforestandis, vel remansuris forestis.

÷ Parium suorum,] in Angl. vel in Wallia.

∴ Gaudere] in perpetuum.

o— So as we are first acquainted therewith, or our justiciary, if we should not be in England.

—o And in the same manner about administering justice, deafforesting the forests, or letting them continue.

÷ Either in England or Wales.

∴ For ever.

N. B. There are two copies of this charter in the Cottonian Library, which are as old as the time of king John: one has still the broad-seal, though some of it was melted by the flames which, on October 23, 1731, consumed part of the abovesaid library, and which also made a few letters of the charter not legible; but they were supplied out of the latter by the learned Mr. David Casley, and are distinguished above by **black letters**. Both charters were visibly written by the same hand: that which hath no seal, has two slits at the bottom, from which, without question, hung two seals. The few words printed here at the end, are placed so in the original, and referred to by the same marks.

The CHARTER of FORESTS*. Granted by King JOHN to his Subjects, in the Year 1215†.

JOHANNES, Dei gratia, rex Angliæ, &c. Sciatis quod intuitu Dei, & pro salute animæ nostræ & animarum antecessorum & successorum, ad exaltationem sanctæ ecclesiæ & emendationem regni nostri, spontanea & bona voluntate nostra dedimus & concessimus pro nobis & heredibus nostris has libertates subscriptas habendas & tenendas in regno nostro Angliæ in perpetuum.

I. In primis, omnes forestæ quas rex Henricus, avus noster, afforestavit, videantur per probos & legales homines; & si boscum aliquem alium quam suam dominicum afforestaverit ad damnum illius cujus boscus fuerit, statim deafforestetur. Et si boscum suum proprium afforestaverit, remaneat foresta, salva communia de herbagio & rebus aliis in eadem foresta, illis qui eam prius habere conserverunt.

II. Homines qui maneant extra forestam, non veneant de cætero coram iusticiariis nostris de foresta, per communes summonitiones; nisi sint in placito, vel pleggii alicujus vel aliquorum qui attachiati sunt propter forestam. Omnes autem bosci qui fuerunt afforestati per regem Richardum, fratrem nostrum, statim deafforestentur nisi fuerint dominici bosci nostri.

III. Archiepiscopi, episcopi, abbates, priores, comites, barones, milites, & libere tenentes, qui boscos habent in foresta, habeant boscos suos sicut eos habuerunt tempore primæ coronationis predictæ regis Henrici, avi nostri, ita quod quieti sint in perpetuum de omnibus purpresturis, vastis, & assartis factis in illis boscis, post illud tempus usque ad principium secundi anni coronationis nostræ. Et qui de cetero vastum, purpresturam, vel assartum facient sine licentia nostra in illis boscis, de vastis, purpresturis, & assartibus respondeant.

IV. Regardatores nostri eant per forestas, ad faciendum regardum, sicut fieri consuevit tempore primæ coronationis prædicti regis Henrici, avi nostri, & non aliter.

V. Inquisitio vel visus de expeditatione canum existentium in foresta de cætero fiat quando fieri

JOHN, by the grace of God, king of England, &c. Know ye, that, for the honour of God, and the health of our soul and the souls of all our ancestors and successors, and for the exaltation of holy church, and for the amendment of our kingdom, we have, of our free and good will, given and granted, for us and our heirs, these liberties hereafter specified, to be had and observed in our kingdom of England for ever.

I. Imprimis, All the forests made by our grandfather, king Henry, shall be viewed by honest and lawful men; and if he turned any other than his own woods into forests, to the damage of him whose wood it was, it shall forthwith be laid out again and disforested. And if he turned his own proper woods into forest, they shall remain so, saving the common of pasture and other things in the said forest, to such as were formerly wont to have it.

II. Is the LII. and LV. of the Great Charter, put into one chapter.

III. The archbishops, bishops, abbots, earls, barons, knights, and free tenants who have woods in forests, shall have their woods as they had them at the time of the first coronation of our grandfather, king Henry, so as they shall be discharged for ever of all purprestures †, wastes, and assarts || made in those woods, after that time to the beginning of the second year of our coronation; and those who, for the time to come, shall make waste, purpresture, or assart in those woods, without our licence, shall answer for them §.

IV. Our inspectors, or viewers, shall go through the forests, to make inspection, as it was wont to be at the time of the first coronation of our said grandfather king Henry, and not otherwise.

V. The inquisition or view for lawing ¶ of dogs which are kept within the forest, for the future, shall

* The forests belonged originally to the crown, and the kings had granted several parts and parcels to private men, who had grubbed them up, and made them arable or pasture; but yet all that was thus grubbed up was still called forest. These forests belonging to the king as his own demesnes, or as the sovereign lord, were a continual source of vexatious suits, as well against those who held them of the king, as against the neighbouring freeholders, under pretence of the rights of the crown.

† From Matt. Paris, p. 250.

‡ Encroachments upon the king's land.

|| Grubbing up wood, and making it arable without licence.

§ Every article in this charter is a clear evidence how much the subject was oppressed under pretence of preserving the royal forests.

¶ Cutting off their claws, &c.

feri debet regardum; scilicet de tertio anno in tertium annum, & tunc fiat per visum & testimonium legalium hominum, & non aliter. Et ille cujus canis inventus fuerit tunc non expeditatus, pro misericordia det tres solidos; & de cætero nullus bos capiatur pro expeditatione. Talis autem expeditatio sit per assisam communiter quod tres ortelli ascendantur de pede anteriori sine poleta. Non expeditentur canes de cætero, nisi in locis ubi expeditari solent tempore primæ coronationis predicti Henrici regis, avi nostri.

VI. Nullus forestarius vel bedellus faciat de cætero scotallum, vel colligat garbas, vel avenam, vel bladum aliud, vel agnos, vel porcellos, nec aliquam collectam faciat, & per visum & sacramentum duodecim regardatorum quando facient regardum tot forestarii ponantur ad forestas custodiendas quot ad illas custodiendas rationabiliter viderint sufficere.

VII. Nullum suanimotum de cætero teneatur in regno nostro nisi ter in anno, videlicet, in principio quindecim dierum ante festum Sancti Michaelis, quando agistatores veniunt ad agistandum dominicos boscos; & circa festum Sancti Martini, quando agistatores nostri debent accipere panagium suum; & ista duo suanimota convenient forestarii, viridarii, & agistatores, & nullus alius per distinctionem: & tertium suanimotum teneatur in initio xv. dierum ante festum Sancti Johannis Baptistæ, pro scœnatione bestiarum nostrarum, & ad istum suanimotum convenient forestarii, viridarii, & non alii per distinctionem.

VIII. Et præterea singulis quadraginta diebus per totum annum, convenient viridarii & forestarii ad videndum attachiamenta de foresta, tam de viridi quam de venatione, per presentationem ipsorum forestariorum; & coram ipsis attachientur, prædicta autem suanimota non teneantur, nisi in comitatibus in quibus teneri consueverunt.

IX. Unusquisque liber homo agistet boscum suum in foresta pro voluntate sua, & habeat panagium suum.

X. Concedimus etiam quod unusquisque liber homo possit ducere porcos suos per dominicum boscum nostrum libere & sine impedimento; & ad agistandum eos in boscis suis propriis, vel alibi voluerit: & si porci alicujus liberi hominis una nocte, pernoctaverint in foresta nostra non inde occasionetur ita quod aliquid de suo perdat.

XI. Nullus de cætero amittat vitam vel membra pro venatione nostra; sed si aliquis captus fuerit & convictus de captione venationis, graviter redimatur, si habeat unde redimi possit; & si non unde redimi possit, jaceat in prisona nostra per annum unum & unum diem; & si post annum unum & unum diem pleggios invenire possit, exeat a prisona, sin autem, abjuret regnum nostrum Angliæ.

XII. Quicumque archiepiscopus, episcopus, comes, vel baro veniens ad nos per mandatum nostrum, transierit per forestam nostram, licet illi capere unam vel duas bestias, per visum forestarii

shall be when the view is made; that is, every three years, and then shall be done by the view and testimony of lawful men, and not otherwise. And he whose dog at such time shall be found unlawed, shall be fined three shillings; and for the future no bull shall be taken for lawing. But such lawing shall be according to the common assize, namely, the three claws of the dog's fore-foot shall be cut off, or the ball of the foot taken out. And from henceforward dogs shall not be lawed unless in such places where they were wont to be lawed in the time of king Henry, our grandfather.

VI. No forester or bedel* for the future shall make any ale-shots†, or collect any sheaves of corn, or hay, or any kind of grain, or lambs, or pigs, nor shall make any gathering whatsoever, but by the view and oath of twelve inspectors; and when they make their view, so many foresters shall be appointed to keep the forests as they shall reasonably think sufficient.

VII. No swainmote‡ for the time to come shall be holden in our kingdom oftener than thrice a year, that is to say, in the beginning of the fifteen days before Michaelmas, when the agisters§ come to agist the demesne woods; and about the feast of St. Martin, when our agisters are to receive their pannage§; and in these two swainmotes the foresters, verdurers, and agisters shall meet, and no other by compulsion or distress: and the third swainmote shall be holden in the beginning of the fifteen days before the feast of St. John Baptist, concerning the fawning of our does, and at this swainmote shall meet the foresters and verdurers, and no others by compulsion.

VIII. And furthermore, every forty days throughout the year, the verdurers and foresters shall meet to view the attachments of the forest, as well of vert¶ as venison, by presentment of the foresters themselves; and they who committed the offences shall be forced to appear before them: but the aforesaid swainmotes shall be holden but in such counties as they are wont to be holden.

IX. Every freeman shall agist** his wood in the forest at his pleasure, and shall receive his pannage.

X. We grant also, that every freeman may drive his hogs through our demesne woods freely and without impediment; and may agist them in his own woods, or elsewhere, as he will: and if the hogs of any freeman shall remain one night in our forests, he shall not be troubled so as to lose any thing for it.

XI. No man, for the time to come, shall lose life or limb for taking our venison; but if any one be seized and convicted of taking venison, he shall be grievously fined if he hath wherewithal to pay; and if he hath not, he shall lie in our prison a year and a day, and if, after that time, he can find sureties, he shall be released, if not, he shall abjure our realm of England.

XII. It shall be lawful for every archbishop, bishop, earl, or baron, coming to us by our command, and passing through our forest, to take one or two deer, by view of the forester if present, if

not,

* Bailiff of the forest.

† That is, taking ale to excuse the offenders.

‡ A court, touching forest-matters, the bailiffs or verdurers being judges.

§ The officers that take in the cattle of strangers to feed in the king's forest.

§ Money for the feeding of hogs with mast in the king's forests.

¶ That is, the offences that have been committed in cutting wood or killing deer.

** That is, take in his neighbour's cattle to feed.

si præsens fuerit; sin autem, faciat cornari, ne videatur hoc furtive facere: item licet in redeundo idem eis facere, sicut prædictum est.

XIII. Unusquisque liber homo de cætero sine occasione faciat in bosco suo, vel in terra sua, quam habet in foresta, molendinum, vivarium, stagnum, marleram, fossatam, vel terram arabilem, extra co-opertum in terra arabili, ita quod non sit ad nocumentum alicujus vicini.

XIV. Unusquisque liber homo habeat in boscis suis ærias accipitrum, spervariorum, falconum, aquilarum, & heronum; & habeant similiter mel quod inventum fuerit in boscis suis.

XV. Nullus forestarius de cætero, qui non sit forestarius de feudo, reddens firmam nobis pro balliva sua, capiat cheminagium, scilicet pro caretâ per dimidium annum duos denarios, & per alium dimidium duos denarios; & pro equo qui portat summagium, per dimidium annum unum obolum, & per alium dimidium annum unum obolum; & non nisi de illis qui extra ballivam suam tanquam mercatores veniunt per licentiam suam, in ballivam suam ad buscam, meiremium, corticem, vel carbonem emendum, & alias ducendum ad vendendum ubi voluerint: & de nulla caretâ aliâ, vel summagio, aliquod cheminagium capiatur; non capiatur cheminagium, nisi in locis illis ubi antiquitus capi solebat & debuit; illi autem qui portant super dorsum suum buscam, corticem, vel carbonem ad vendendum, quamvis inde vivant, nullum de cætero dent cheminagium; de boscis aliorum nullum detur cheminagium forestariis nostris, præterquam de dominicis boscis nostris.

XVI. Omnes utlegati pro foresta a tempore regis Henrici, avi nostri, usque ad primam coronationem nostram, veniant ad pacem sine impedimento & salvos pleggios inveniant quod de cætero non forisfacient nobis de foresta nostra.

XVII. Nullus castellanus vel alius teneant placitum de foresta, sive de viridi sive de venatione, sed quilibet forestarius de feudo attachiet placita de foresta, tam de viridi quam de venatione, & ea præsentet viridariis provinciarum & cum rotulata fuerint, & sub sigillis viridariorum inclusa præsententur capitali forestario, cum in partes illas venerit ad tenendum placita forestæ, & coram eo terminentur.

XVIII. Omnes autem consuetudines prædictas & libertates, quas nos concessimus in regno tenendas, quantum ad nos pertinet erga nostros, omnes de regno nostro, tam laici quam clerici, observent quantum ad se pertinet erga suos.

not, he shall cause a horn to be sounded, lest he should seem to do this privately: also in their return it shall be lawful for them to do the same thing.

XIII. Every freeman, for the future, may erect a mill in his own wood, or upon his own land which he hath in the forest, or make a warren, or pond, a marl-pit, or ditch, or turn it into arable, without the covert in the arable land, so as it be not to the detriment of any neighbour.

XIV. Every freeman may have in his woods the ayries of hawks, sparrowhawks, falcons, eagles, and herons; and they shall have likewise the honey which shall be found in their woods.

XV. No forester for the future, who is not a forester in fee, paying rent for his office, shall take cheminage*, that is to say, for a cart two pence during half a year, and for the other half year two pence; and for a horse that carries burdens, for half a year a half-penny, and for the other half year a half-penny; and then only of those who come as buyers, out of their bailiwick to buy underwood, timber, bark, or charcoal, to carry it to sell in other places where they will; and for the time to come there shall be no cheminage taken for any other cart or carriage-horse, unless in those places where anciently it was wont and ought to be taken: but they who carry wood, bark, or coal upon their backs to sell, though they get their livelihood by it, shall for the future pay no cheminage for passage through the woods of other men; no cheminage shall be given to our foresters, but only in our own woods.

XVI. All persons outlawed for offences committed in our forests, from the time of king Henry, our grand-father, until our first coronation, may reverse their outlawries without impediment, but shall find pledges that for the future they will not forfeit to us in our forest†.

XVII. No castellan or other person shall hold pleas of the forest, whether concerning vert or venison, but every forester in fee shall attach pleas of the forest‡, as well concerning vert as venison, and shall present the pleas or offences to the verdurers of the several counties; and when they shall be enrolled and sealed under the seals of the verdurers, they shall be presented to the chief-forester, when he shall come into those parts to hold pleas of the forest, and shall be determined before him.

XVIII. And all the customs and liberties aforesaid, which we have granted to be holden in our kingdom, as much as belongs to us towards all our vassals of our kingdom, as well laics as clerks, shall observe as much as belongs to them towards their vassals.

There is no original of this charter extant, nor any copy older than the first of Henry III.

Such were the two charters signed at Runnede; and it is not easy to find any thing in them for a good king to except against, unless in the manner of their being extorted: but the barons, knowing the proud, vindictive, and inconstant disposition of John, wisely judged that he would embrace the first opportunity to renounce these ar-

ticles of compulsion, if not farther restricted to the observance of them; therefore they insisted upon his consent to their choosing five-and-twenty of their number to see the charters duly observed. These were to be distinguished by the appellation of Conservators of the Liberties of the People; and four of them were empowered to demand reparation,

* Money for passing through the forest.

† That is, commit no offence. Dr. Brady.

‡ May seize the body and goods of the offender, to make them appear.

within forty days, from him or his justiciary, in case of the infringement of any article or articles: and if such reparation should be neglected, or not made, then this committee of four were to give notice of the same to the rest, who, with the community of the nation, might seize his castles, lands, and possessions, until satisfaction should be obtained, saving the persons of himself, his queen, and children. All persons might swear to assist them in these compulsory proceedings, and obey the orders of the twenty-five, or the majority of these conservators.

John himself issued writs, obliging all his sheriffs, officers, and others, to assist them on such occasions, on pain of seeing their estates seized, and all their chattels sold, within a fortnight after refusal, for the benefit of the Christians in Palestine.

It was also agreed that twelve knights should be chosen in every shire, at the next court, to enquire into evil customs and corrupt practices of sheriffs, foresters, and other officers, that they might be abolished according to the intent of the charters; to the observance of which, in all particulars, John and the barons bound themselves by oath. As a farther security, the governors of the castles of Northampton, Kenilworth, Nottingham, and Scarborough were ordered to take an oath of obedience to the conservators; and it was determined that the barons should keep possession of London, and the custody of the Tower be lodged in the hands of the archbishop of Canterbury, till the fifteenth day of August, within which time John engaged that all things should be restored to the barons according to the order of the five-and-twenty, in which case they reverted to the king*.

And now every thing seemed to assume a new face, and a sincere coalition between John and his nobles was pretended on both sides.

Elated with joy at their success, and having provided, as they thought, for the effectual performance of what had been granted them by the king, the confederates thought their business done, and appointed a tournament to be held on the sixth day of July at Stamford; but having received intelligence that a plot was concerted by the citizens of London to wrest from them the mastery of that metropolis, and putting it into the hands of John, they put off the tournament till the thirteenth of July, appointing it then to be held between Staines and Hounslow, by which means their forces would be kept in the neighbourhood of that city. It was accordingly held there with great pomp.

In the mean time John, who had never intended to fetter himself with chains of parchment, but had only bowed beneath the storm that roared around him, began to cast about how he might best retrieve his desperate fortunes, and shake off the yoke of compulsion which appeared so grievous to his soul. In this design he was principally encouraged by the foreign mercenaries in his pay and about his person, who were continually representing to him how shameful it was in a king to make any concessions to his subjects, much more when extorted from him by a rebellious force. John's mind being too strongly biased towards the same notions, resolved to hazard all rather than fulfil the engagements he had entered into: with this view he retired by night, attended only by seven of his friends, and in great privacy, to the Isle of Wight, where he no sooner

arrived than he publicly renounced all the obligations he had entered into with his subjects. His next step was to send Pandulphus, the late legate, who had remained about his person, to the pope, to solicit from his holiness an absolution of all his engagements with his barons; and at the same time dispatched his chancellor, the bishop of Worcester, with Grey, the bishop of Norwich, and several others, into France, Germany, and Flanders, with orders to promise such as would enter into his service, the confiscated estates of the rebellious barons, as he called them: he gave these agents likewise a power to make grants beforehand of the English lands, and to execute the deeds in form.

He met with no difficulties at the court of Rome, whose interest it was to support him. Innocent espoused his cause with the greatest warmth; he threatened to punish their rebellion, as he affected to call it, with excommunication, unless they immediately returned to their duty, and implored the pardon of their sovereign, whom they had so disgracefully entreated. But the barons, incensed at John's notorious breach of faith, made light of the pope's threats; and, disregarding his censures, seized upon Rochester, which Langton put into their hands; though it is hard to say how that prelate could reconcile such a step with that allegiance which he undoubtedly owed to his king, who had entrusted to him the care of that fortress: but we too often find the best men carried away by the overflowings of zeal for the cause of liberty, without stopping at the proper limits between a just and patriotic opposition, and a licentious defection. But of this we shall have occasion to speak more amply hereafter.

It must also be confessed that John did not want a plausible pretext for the measures he had lately taken; for, though the majority of the barons, who were only intent upon securing their liberties, had retired to their habitations, and patiently waited the execution of the treaty, yet some of their members, who were of a more factious and turbulent disposition, behaved in a very unjustifiable manner, plundering the countries through which they passed, maltreating the king's officers, burning the royal houses and parks, and committing such outrages as rather bespoke a commencement of civil war than a compromise of differences between the king and his nobles.

In this situation of affairs, the bishops, penetrated with a true concern for the miseries of their country, mediated with indefatigable pains between both parties, insomuch that at length a conference was appointed to be held between the king and his barons (who, on their side, accused him of an express breach of the Great Charter by his application to the pope, and the inviting over foreigners.) Oxford was the place pitched upon for this meeting; but John declined appearing, on pretence that he did not think his person safe among so many of his enemies: but the truth of the matter is, that John had just received advice of the pope's having issued a bull of excommunication against all who should dare to resist the king; as also that the foreign troops, whom he had sent to invite to his assistance, were ready to pass over to England. Accordingly he went on board a ship at Portsmouth, and set sail for Dover, in order to meet this reinforcement, which arrived soon after,

* Pat. 17 Johan. Claus. 17 Johan. Rymer's Fœdera, tom. i. p. 201.

in vast numbers from Brabant, Flanders, and other parts of the continent, all soldiers of fortune, and ready to venture their lives in any cause to gain an estate. Thus strengthened, John put his subjects at open defiance, and, without losing any time, set out at the head of his army to undertake the siege of Rochester, of which he made himself master, though not till after a very obstinate resistance on the part of the besieged, which so exasperated him, that it was with great difficulty his generals persuaded him from putting the whole garrison to the sword in cold blood: however, William de Albiney, whom the barons had appointed governor of the castle under the archbishop, William of Lancaster, William de Emesford, and some others were sent close prisoners to Corfe castle*.

While John was employed in this siege, the pope sent over to England his bull of excommunication against the barons, directed to cardinal Langton, who was enjoined to see it carried into execution; but Langton peremptorily refused to comply with this injunction, alleging that the pope had been misinformed, and that he would go to Rome in person, and lay the whole matter before his holiness.

Upon this Pandulph, who had brought over the bull, taking the bishop of Winchester as his assistant, suspended the archbishop from all clerical offices, and proceeded to promulgate the excommunication against the barons†.

John, after the taking of Rochester, divided his army into two bodies, putting the one under the command of the earl of Salisbury, his natural brother, and Fulk de Briant, who were to make head against the barons, now retired to London upon finding themselves unable to keep the field; while he himself marched northwards with the other. These two armies committed the most shocking ravages and cruelties in all the countries through which they passed, and, as they met with little or no resistance, their progress was very rapid.

The barons, on their side, getting together a strong body of forces, marched from London into Cambridgeshire, where they took that castle and the town. From thence they proceeded through the counties of Norfolk and Suffolk, and thence on to the sea-coasts, where they took Yarmouth and Ipswich, and raised heavy contributions on the inhabitants, who were mostly of the king's party. They next made themselves masters of Colchester, Hertford, and Berkhamstead, with all the adjacent country.

John continued his march till he arrived at Northampton, where he kept his Christmas, after having glutted his brutal revenge, with a barbarity more worthy of an eastern tyrant than an English king‡. Notwithstanding the severity of the season, he summoned Albiney's castle of Belvoir, in Lincolnshire, to surrender, threatening the governor of the place that, unless he surrendered in two days, he would cause his lord, whom he had in his power, to be starved to death, upon which the garrison

instantly laid down their arms and gave him possession of the place.

About this time John received advice that great numbers of the nobility of Yorkshire, abandoning their estates, had fled into Scotland, and done homage to Alexander II. a youth of eighteen, who had succeeded his father William in the throne of that kingdom, and that he was preparing to give them a formidable assistance. Upon which he proceeded with all the fury which revenge could suggest, and all the barbarity which mercenaries could exercise, into the southern parts of Scotland, where he burned Haddington, Dunbar, and other towns, and advanced as far as the river Eske, in order to attack Edinburgh, the capital of the kingdom; but the young Scottish monarch quickly raised a powerful army, and took up his ground so advantageously, in a part of the country through which John must necessarily pass in his further progress, that the latter, who dreaded the issue of a pitched battle, would not venture to proceed, but, facing about, retreated with great precipitation; and, in order to prevent the enemy from being supplied with provisions, in case they should incline to a pursuit, he caused all the Scots farms, villages, and towns to be plundered and burnt, till he had rendered the whole country one dreary, dismal, and horrid waste.

This desolation appears to have had the desired effect: Alexander, instead of following the fugitive army, marched to the westward, and penetrated as far as Carlisle, which he took and fortified; and then returned through Westmoreland to Scotland.

In the mean time John had made himself master of all the strong places in the North, two castles only excepted, which still continued in the hands of the barons, that of Mount-Sorrel, and another belonging to Robert de Ros; so that he now found himself at leisure to turn his arms against the Welsh, whose country underwent the same treatment from him and his ruffians that the rest of the kingdom had done. In his progress he reduced a number of castles, some of which he demolished, and others he secured with strong garrisons. After this he directed his march towards London; and being joined by the other division of his army, under the earl of Salisbury, he began to make the necessary dispositions for attacking the city.

The affairs of the confederacy were now in a deplorable situation, and a second bull arriving from the pope, in which no fewer than thirty barons were nominally excommunicated, together with the city of London and all who should assist against the king, it struck such a damp upon the party that it was deserted by some of its most considerable supports, and in particular by Gilbert Rainfroy and the constable of Chester, who returned to the king's service.

The boasted precautions in the Great Charter were now vanished in smoke, and public care was obliged to give way to the first principle of

* An accident happened in the course of this siege, which confirms the upright intention of the barons in general, in their opposition to the king, and reflects great honour on the character of Albiney himself. John and one of his principal officers reconnoitring the place, the person of the former was known by an excellent marksman, an engineer within the castle, who said to William de Albiney, "Sir, I have a dart here ready in my hand, shall I let fly at the king; I am sure of my mark?" "Heavens forbid! (exclaimed Albiney) wretch that thou art! dost thou think that I would spill the blood of the Lord's anointed?"

† The terms of this bull were as follow: "That the sentence should be published every Lord's-day and holiday, with ringing of bells and lighting of candles, throughout all England, until the barons satisfied the king for the injuries they had done to him, and returned to their obedience."

‡ The cruelties related by our authors to have been committed against the wretched inhabitants, seem to have surpassed the wickedness of human nature so much, that they are unfit for human ears; I shall therefore leave them to imagination, which can never paint them so gross as our historians have described them."

all human beings, self-preservation. They had no place of any strength remaining except London, and even of that they could not long expect to remain the masters, when such a formidable army was in sight, bent upon its reduction, and devoting them already, in imagination, the victims of overboiling revenge. In this their deep distress they had recourse to an expedient, that nothing could justify but a consciousness that submission to John would have been death itself embittered with shame and slavery; and which, however necessary, had well nigh been as productive of as fatal consequences as those they sought to avoid by it. They implored the protection of a foreign prince; the person they fixed upon was Lewis, son to Philip, king of France. Saher, earl of Winchester, and Robert Fitz Walter, were deputed to engage the French monarch to suffer his son to come over and assist in dethroning the tyrant, and to take the crown of England as the rich reward of his interposition.

Philip's ambitious soul glowed within him at the prospect of such an accession of power and territory: nevertheless, with the most profound dissimulation, he desired time to examine their proposal, and affected to treat the deputies with great coolness and reserve. At length he gave them to understand, that he would by no means consent to his son's embarking on so precarious an expedition, without the most sufficient security for the fidelity of those in whose behalf he was to interest himself, and demanded that the barons should put into his hands four-and-twenty of the noblest of their body as hostages for the performance of articles. Necessity knows no law; the extreme of misery admits of no addition. The deputies were undoubtedly empowered to subscribe to any terms to gain their point; accordingly they agreed to Philip's demand without hesitation, who, upon the arrival of the hostages at Paris, began to make preparations for the enterprize; and prince Lewis, who was then at the head of an army in Languedoc, warring upon the Albigenes, came to give the deputies his own assurances that he would speedily pass over to England. In the mean time, some troops were immediately sent to the barons, under the command of the castellans of St. Omer's and Arras, Hugh Chacun, Eustace de Neville, Giles de Melun, Baldwin Britel, and William de Beaumont, who had orders to confer with the barons concerning the operations of the approaching campaign. They arrived in the Thames, and from thence came up to London, on the twenty-seventh of February, 1216; and the soldiers they had brought with them were put into garrison in those castles which still remained in the hands of the confederates.

John began now to despair of succeeding in his attempts upon the capital, since the citizens had received so strong a reinforcement; and therefore he marched into Kent and Essex, where he took the castles of Colchester and Hedingham, and then marched down to the sea-coasts, in order to take all the necessary precautions to prevent the landing of Lewis, with whose designs he was by this time

perfectly acquainted. He obliged the Cinque Ports and some other places to renew their oath of allegiance to his person and government, and pressed into his service all the ships he could find on that part of the coast, which he filled with armed men, and resolved to set sail in person, and give the prince of France battle in his passage; but a violent storm having shattered great part of his fleet in port, he was obliged to lay aside his design.

While both parties were thus employed in military preparations, the pope, resolved to support John to the last, dispatched one Gualo into France as his legate, with orders to forbid Philip, in his holiness's name, to carry his arms into England, or disturb the patrimony of St. Peter; and even to persuade that monarch to employ his forces in defence of John, as being a vassal of the holy see; but in case Philip should prove obstinate, the legate was commissioned to threaten him with the thunder of the Vatican.

Philip received the legate in a very honourable manner; but when he came to open his commission he told him plainly, that the pope his master had no right to England, since no king or prince could dispose of his kingdom without the consent of his subjects; and that the maxims the pope would introduce, were too pernicious to all states to be received. The legate, not satisfied with these reasons, forbade Lewis, under pain of excommunication, to enter England, and his father also to give his consent: upon which the young prince, with a becoming spirit, addressing himself to his father, said, "Sir, though I am your vassal, as to the fee I hold of you with respect to my lands in France, yet as to England you have nothing to do; wherefore I submit myself to the judgment of my peers. If you command me, then, not to prosecute my right, more especially such a right as you cannot do me justice in, I must beg your majesty not to withstand my resolution, since, if there is a necessity for it, I will dispute my wife's inheritance even to death*." Having thus spoken, Lewis departed from the conference; which the legate perceiving, asked the king of France a safe-conduct for England, who told him he would very willingly give him one through his own dominions; but if by chance he should fall into the hands of any of the commanders of his son Lewis, who guarded the sea-coast, he would not be responsible for what might befall him. This was sufficient to convince Gualo that the father and son were perfectly in concert through the whole affair; but not knowing how to prevent things from taking a disagreeable turn to the interests of the pope his master, he retired from court greatly enraged.

Lewis, sensible that it would be of great consequence to his affairs to reach England before the legate, assembled his forces in all haste, and went on board his fleet, which had been got ready for the reception of himself and army, consisting of seven hundred ships and eighty other vessels: accordingly he set sail, and on the twenty-first of May, 1216, landed in the isle of Thanet.

John was at this time at Dover, at the head of a fine army, but on whose fidelity he could not

* For the better understanding the latter part of this speech, the reader is to observe, that on this occasion the court of France had trumped up a title to the crown of England in right of Lewis's wife, Blanche of Castile, who was granddaughter to Henry II. The whole of this claim, with the

descents on which it was founded, and the arguments for and against, are to be found at large in Carte's Hist. of England, vol. i. p. 839, but are too dry and uninteresting to have a place here.

depend. He knew his mercenaries were principally composed of the subjects of the French king, or of those of his vassals, and consequently he could not expect that they would serve him with the same alacrity against Lewis as they had done against the English: besides, as the hopes of plunder had been their sole motive for enlisting under his banners, he might reasonably suppose that the same motive would turn their swords against him and his party. Conscious guilt and jealous distrust benumbed all the faculties of his soul, and disarmed him at the instant he stood most in need of resolution. He gave Hubert de Burgh the command of Dover castle, and retreated with his forces, though superior in numbers and military experience to those of Lewis, and retired first to Guildford, and then to Winchester.

Lewis, in whose favour John's fears had operated more powerfully than many legions, marched with all expedition towards London, but in his way took the castle of Rochester, and received the submission of all the country round, except Dover. He entered London amidst the most joyful acclamations: here the barons and citizens swore fealty to him, after his having taken a solemn oath to restore all their lost inheritances, and to the nation its ancient privileges. He then made a speech to all present, which has been handed down to us by Polydore Virgil, and which, on account its importance, and the great credit of that historian, we have transcribed in a note*.

Though it does not appear that Lewis was ever crowned king of England, whatever some French historians may pretend, yet he certainly exercised several acts of sovereign authority, but always under the title of "*Domini regis Franciæ primogenitus*," granting charters for lands and honours, and created Simon Langton (brother to the archbishop of that name) his high-chancellor. This priest, having been lately disappointed of the archbishopric of York, and exasperated equally against John and the pope, treated all the thunders of the latter as mere bugbear; persuaded Lewis, the barons, and the Londoners, to despise the censures of the court of Rome, and, notwithstanding the interdict, to be present at divine service; and prevailed so entirely, that the papal bolts fell ineffectual to the ground.

The progress which Lewis now made in the kingdom was very rapid; nevertheless a great deal remained to be done before he could be master of England. John had the inhabitants of most of the maritime places on his side; and, indeed, if he had any merit with regard to government, it was the privileges which he gave to the sea-ports, and which they still claim, and the excellent regulations he made in the marine. This was an untoward circumstance for Lewis, who had chiefly at heart the making himself master of some convenient port, by which he might receive reinforcements from the continent, or pass over thither speedily in case of a reverse of fortune here. With this view he determined to make himself master of Dover, the most considerable key of the kingdom, which

was still in the hands of John, and defied his power. He therefore set out from London, in order to secure the county of Kent. He afterwards reduced the county of Sussex entirely to his obedience; but William de Coldingham getting together a thousand archers, and retiring into the wilds and fastnesses of Sussex, held out against Lewis, and killed some thousands of his Frenchmen. Lewis, without being able to reduce this youthful warrior, for such Matthew Paris tells us he was, went next to Winchester, the castle and city of which he reduced, and then received the homage of Hugh de Neville, together with the surrender of Marlborough castle. He likewise understood, while he lay at Winchester, that William de Mandeville, Robert Fitz Walter, and William de Huntingfield, had met with great success, in reducing Essex and part of Suffolk.

And now Lewis, looking upon himself as lawful and actual king of England, summoned all the barons, and particularly the king of Scotland, to do him homage. In obedience to this summons the earls of Arundel and Salisbury made their submissions: this is a proof of the extreme unpopularity into which John was fallen. Nevertheless, that prince was not idle on his part, for he fortified and revictualled several strong fortresses on the sea-coast.

In the mean time, Alexander, king of Scotland, broke again into England, took the city of Carlisle, and reduced most of Northumberland; after which, passing through the heart of England, he met Lewis, who by this time returned to London from his Kentish progress, and obtained from him a confirmation of the rights which the barons gave him to Northumberland and the English provinces, in consequence of which Alexander recognized the title of Lewis by doing him homage.

Whilst these things passed in England, the ambassadors which Lewis had sent to Rome, in order to ward off the sentence of excommunication, and vindicate their master's claim to the crown of England, met with a very haughty and cool reception from the imperious pontiff; but Lewis was nevertheless resolved to prosecute his pretended right, which was founded more on force than equity.

John, hearing of his intention to besiege Dover and Windsor, determined to run every hazard to prevent the execution of his design. Accordingly, having drawn out of his other garrisons several strong detachments, so as to form a pretty considerable army, he marched to Winchester, and made a feint of offering Lewis battle; but on a sudden turned about, and fell upon the defenceless lands of the barons in Norfolk and Suffolk.

And now the two important sieges above-mentioned, were formed. Lewis invested Dover the twenty-second of July, but found it a more difficult work than he imagined: Hubert de Burgh, the governor, was a vigilant, brave, and experienced officer, and having a garrison of an hundred and forty knights, with their followers, all resolute warriors, they made such furious sallies upon Lewis, that he was constrained to remove his camp,

* "I receive your faith, my lords, and I plight you mine, that I will preserve the laws of this country, and that I will more regard the interest of the people of England than my own advantage; and that I will secure you, who, next to my parents, are dear to me, from all injury. From my father, a most powerful prince, I am to inherit large possessions; it is not, therefore, to acquire a kingdom, or to increase my power,

that I am come hither: it is to avoid the imputation of ingratitude or cowardice, should I have refused to come to your assistance, who have voluntarily appointed me your king, or have declined to engage in so justifiable a war. Be ye, therefore, faithful, and follow me, for my conduct shall be such as shall restore the kingdom of England to her dignity, and o you your liberties."

to a greater distance, and turn the siege into a blockade.

The barons, who were sat down before Windsor, met with still worse success than Lewis; for the garrison of that place making a very vigorous sally, obliged the besiegers to raise the siege with precipitation.

In the mean time Lewis, who seems to have been a prince of a weak judgment and haughty disposition, instead of caressing the English, as he ought in prudence to have done, excluded them from his councils and confidence; and, instead of restoring the English nobility to their honours and estates, bestowed all favours upon his countrymen; in particular he gave the earldoms of Wilts and Suffex to the count de Nevers, a French nobleman of an insolent and overbearing disposition, who oppressed the people to such a degree that the English began to conceive a great aversion against the French, and took these proceedings as melancholy omens of what they were to expect: and the intolerable pride and selfishness of these new comers at length opened the eyes of the barons themselves. The respite they had gained by the first successes of Lewis had eased that anguish which had driven them to seek relief from foreign arms, and many of them had now returned to reflection. The earl of Salisbury, William Mareschal, Walter Beauchamp, and several other noblemen, unable to put up with such indignities, deserted the cause of the French prince, who was so incensed at this defection, that he is said to have formed a plan of deep revenge, which was discovered by the viscount of Melun, who, being suddenly taken ill, and being given over by his physicians, sent for some of the English barons, desiring them to come to him forthwith, that he might reveal to them something which sat very heavy on his conscience. Hereupon the barons attending him, he told them that Lewis had entered into a compact with sixteen of his French earls and barons, to punish all the English who had fought in his cause against king John, as traitors to their country, and to banish all their race out of the land: this he confirmed with an oath, and then gave up the ghost.

This information, which met with the greater credit as it came from a man who was just going to appear before the impartial Judge of the universe, filled the barons with the most gloomy apprehensions. They now equally dreaded the success of Lewis as of John; and the election of what kind of tyranny they would live under, seemed to be all that was now left them; they began to repent of having called in foreigners, and seriously to think of returning to the obedience of their so-

vereign; and it is said that no less than forty of them privately gave the king assurances of their friendly intentions towards him; and, had not the latter made himself dreaded by his implacable vindictive temper, so as to discourage the rest from an application, a general reunion between him and his nobles might have been easily effected.

Mean while that unhappy prince was in perpetual motion. The barons, after quitting the siege of Windsor castle, marched hastily into Cambridgeshire, with a design to come upon John unawares, and seize his person; but he having had notice given him of their approach by his scouts, removed to Stamford in Lincolnshire.

But not knowing whom to trust, and being suspicious even of his fastest friends, he resolved to retire to the county of Norfolk, where he thought he should be safest, and made choice of the little town of Lynn, to secure his treasures, his crown, sceptre, and other things of value. Here he was treated with all possible demonstrations of affection and loyalty by the inhabitants †, and here he made the general rendezvous of all his forces; but when he came to muster them, he found, to his no small regret, that most of his Poictevin troops had deserted his service. Nevertheless, as he was by this time informed of the general odium which Lewis had incurred, and that the barons, who had hitherto kept close at his heels in order to harass him in his retreat *, were now returned to London, probably with a view to give him an opportunity to make a stand, and that numbers of them were even ready to return to his service, he determined to penetrate into the heart of the kingdom and give Lewis battle.

With this view he drew forth his army, and set out on his march from Lynn, on the twelfth of October, in order to proceed the shortest way into Lincolnshire. This lay over the washes between that county and Norfolk; a dangerous passage, by reason of the overflowing of the tides at high water.

Had John attempted a passage at low water, he might have prosecuted his march with great safety and expedition; but he was so imprudent to enter the washes just as the tide was beginning to flow, which rushed in upon him with such violence and rapidity, that he lost the greatest part of his forces, with all his treasure, baggage, and regalia, and he himself narrowly escaped with life ‡.

We now draw to the period of this unhappy king's life. On the night in which he lost his equipage, he came to Swineshead abbey, where he took his lodging. The great fatigues he had sustained, and the constant hurry and perturbation of spirit

† As a mark of his gratitude he granted the town great privileges, and, as tradition says, made a present of his own sword, to be carried before their mayor or provost (præpositus), together with a silver cup gilt, which they still preserve. It is likewise probable that it was from this event that the town took its name of Lynn Regis, or King's Lynn.

* It is amazing to think how this unhappy prince (who most certainly had been the architect of his own misery) was hunted about from place to place, and with what activity he supported himself. Dr. Brady has given us, from original papers in the Tower, a curious detail of the places where he rested after his several marches, for almost a month before his death.

About the 8th of September he was at Sunning.

On the 13th of September at Wallingford.

At Ailesbury on the 15th.

At Bedford the same day.

At Cambridge on the 16th.

At Clare on the 18th.

At Clive the 20th.

At Bocking the 21st.

At Lincoln the 22d.

At Stow, in Lincolnshire, the 27th.

At Lincoln the 28th.

At Grimsby the 4th of October.

At Spalding the 7th.

At Lynn the 9th and 11th.

At Wisbich the 12th.

At Lefford, alias Sleaford, the 15th.

At Newark castle the 16th, 17th, and 18th.

‡ Matt. Paris, with a prepossession common to the monkish writers, has told us that the earth opened and swallowed up all those men and equipages so completely that not one escaped; but Coggeshall, better informed, has related the accident as it really happened.

under which he had lived for some time, added to the vexation he felt at the irreparable loss he had suffered, threw him into a violent fever. Next day, being unable to ride, he was carried in a litter to the castle of Sleaford, and from thence to Newark, where, finding his end approaching, he ordered his will to be drawn up, by which he appointed his son Henry, then a child ten years of age, to succeed him: the same night, the eighteenth of October, 1216, being St. Luke's day, he died, in the fifty-first year of his age; his death, as it has been transmitted to us, being more edifying than his life.

John reigned seventeen years, seven months, and ten days. His body was carried to Worcester, according to his own order, and buried, with little funeral pomp, in the cathedral, where his tomb, with his image on it, as big as life, is still to be seen, but without any inscription.

It now remains that we should say something in relation to the character of this prince, whose virtues were so few, and his failings so very numerous, that truth must appear the severest censure, and any attempt to vindicate or palliate his conduct would be to fly in the face of all historical authority. The murder of his nephew Arthur, the infringement of public property, and the violation of private honour and domestic peace, have consigned his memory to deathless ignominy. Tyrannical and overbearing in prosperity, rash and untameable in adversity; alike the bully and the dupe of papal authority, he shewed such an amazing inconsistency in his conduct, that nothing but a belief of his insanity could afford the least shadow of excuse for his procedure. The monks, it is true, have spared no pains to villify him on every occasion, without regarding either truth or probability: in the class of these satirical legends may be reckoned that of his having sent ambassadors to the miramolin of Morocco, offering to hold his crown of that prince, and to turn Mussulman; a story which is so very absurd, that nothing but the persecuting

spirit of incensed churchmen could possibly have given birth to; as if the character of this wretched prince was not sufficiently black of itself, to stand in need of this additional stain to render it truly odious.

But while we deplore those vices which made him the scourge of that people over whom he had unjustly usurped the rule, and for which, in the end, he was so severely punished, let us not forget to mention the few laudable transactions of his reign, by which the nation was benefitted and advantaged. He established the form of civil government in London* and several other places in the kingdom. He was the first who coined sterling money, introduced the laws of England into Ireland, and granted the Cinque Ports those liberties they now enjoy. He made several excellent regulations for fitting out a navy on any sudden emergency, and on all occasions steadily supported the dignity of the English flag.

In John we have an admirable instance of the wise workings of Providence, who maketh use of the common revolutions of human affairs to produce some good even from the greatest apparent evil. The reign of this prince, wicked and miserable as it certainly was, gave occasion to those excellent charters which form the basis of the English constitution. His tyranny first prompted the barons to assert, and his sloth and indolence afterwards enabled them to obtain, those inestimable rights and privileges which are at once the glory and safeguard of Englishmen.

This reflection naturally leads me to give some account of the rise of the great dispute between the king and his nobles, which I have avoided to treat upon in a particular manner in the course of his reign, that I might not too much embarrass the narrative; but having now conducted this monarch to the period which put an end to all his pursuits and disappointments, we may here, as from a resting-place, take a retrospect of an event which will ever stand distinguished in the annals of our country.

|| The sickness and death of kings and great men, as M. de Voltaire very justly observes, in his Additions to his General History, are too often attributed to extraordinary causes without any just reason. Accordingly our old authors, not contented with the natural causes for John's death, which were certainly sufficient to have brought the stoutest mortal to the grave, have administered poison to him. Caxton, in his Chronicle, which was compiled about the year 1483, and printed in the year 1502, has given us a very curious and entertaining account of John's death, which we shall here insert, not so much on account of its veracity, as because of the light it throws on the manners, the simplicity, and plain way of living of that age.

"The king came by the abbey of Swineshead, and there he abode two days: and as he sat at meat, he asked of a monk of the house, how much that loaf was worth that was set before him upon the table? and the monk sayd, that the loaf was worth but one halfpenny. O! sayd the kyng, tho there is great cheap of bread; now, said he, tho I may live any while, such a loaf will be worth twenty shillings, or half a year be gone. And so when sayd this worde, moch he thought, and often he sighed, and toke and ete of the bread, and said, by God, the word, the word, that I have spoken, it shall be soth. The monk, that stode before the kyng, was for this worde full of sory in his herte, and thought rather he would himself suffer death, and thought if he mighte ordeyne some mannere remedye. And anon the monke wente unto his abbot, and was shriven of him, and told the abbot all that the kyng had sayd, and prayed the abbot for to affoyle him; for he would give the kyng such a drinke, that all Englonde should be glad thereof and joyfull. Tho yede the monk into a gardeyne, and found a grette tode therein, and toke her up, and put her in a cuppe, and prycked the tode through with a broche many tymes, till that the venym came out of every syde in the cuppe; and tho

toke the cuppe, and filled it with good ayll, and brought it before the kyng, kneying, sayenge, Sir, sayd he, wlap ayll, for never the dayes of all your life dronke ye of so good a cuppe. Begyn, monk, sayd the kyng; and the monk dronke a grette draught, and toke the kyng the cuppe, and the kyng dronke also a grette draught, and sett down the cuppe. The monk anon righte went into samerye, and there dyed anon, on whose soule God have mercy, amen. And five monks synge for his soule specially, and shall while that the abbey standeth. The kyng rose up anon full evyll at ease, and commanded to remove the table, and axed for the monk; and men told him that he was dead, for his wombe was broken in fundre. When the kyng heard this, he commanded for to trusse; but it was for nought; for his belly begane to swelle for the drynke that he had dronke, and within two dayes he dyed, on the morrow after saynt Lukis day."

But Hemingford gives a different account of the matter. He says, the abbot persuaded the monk to poison the king, because he had attempted to debauch his sister; and that the monk effected his purpose by means of a dish of pears, all of which he poisoned except three, which he took care to distinguish by a mark. These pears he presented to the king, and being desired to taste them himself, he eat the three that he had marked; by which means he escaped with life, while the king was poisoned by eating the rest.

Speed proves that this king was really poisoned, from numbers of original manuscripts.

* King John, in the year 1208, by his letters patent granted the citizens of London liberty and authority to chuse to themselves yearly a mayor, which office heretofore continued during life. He likewise gave them leave to chuse a common-council of the most substantial citizens; and to elect and deprive their sheriffs at pleasure. See Stowe's Survey, book v. p. 101.

The causes assigned for the contest between John and his barons are various; but this disagreement may be easily accounted for, from the different parties they were of, with respect to politics. Holingshed informs us, from Barnewell, that the chief cause of the conspiracy was the demand which the king made of escuage, or scutage, from those who refused to attend him in his expeditions to Poictou, which the barons refused to pay, on pretence that they were not obliged to do it for any war which the king carried on beyond seas. This refusal occasioned great animosities, which, as our author says, were greatly inflamed when the barons were in possession of the charter of Henry I. presented to them by archbishop Langton.

Caxton and Fabian assert that the variance between the king and the barons was in a great measure owing to the banishment of the earl of Chester, who was sent into exile by the king merely because he made frequent remonstrances to him against his cruelties, his adulteries, and his cohabiting with his brother's wife. Hector Boethius ascribes all his troubles to the oppositions with which he harrassed his subjects: and Hemingford imputes them partly to the same cause; but more particularly to his lascivious behaviour and boundless lust, which spared no families, however great or powerful. He ruined the fortunes of his nobles by exorbitant taxes; seized their estates and insulted their persons; he even attempted to make a general inquisition into the alienation of the royal demesnes, and the validity of the titles by which his barons held their possessions: an odious measure at all times, but particularly alarming in the reign of a king who listened to no law but his will, who sacrificed every tie of honour and conscience to gratify his own avarice and revenge.

It would be difficult to account for the nobles giving their leader, Robert Fitz Walter, the title of Marshal of the Army of God*, and thereby making their cause that of religion, if we did not consider that most, if not all, the civil wars which have troubled the world, adopted this specious palliative. Impartiality, therefore, obliges us to confess, that a strange prevarication was made use of by those concerned in this opposition; for when John opposed the nomination of Langton to the primacy, as an encroachment of the papal see on his prerogatives, the barons then took up arms against him as an apostate, and an enemy to the pope. Afterwards, when he was reconciled to the pope, and protected from any domestic peril by the vow of pilgrimage, they then oppose him as a servile wretch; and, notwithstanding his papal protection, the war against him is termed the War of God and Holy Church.

Tradition, which is not always to be despised, speaks of a large room, worked out of the solid rock, the passages to it winding and deep under ground, and still to be seen, where the castle of Holmsdale, at Ryegate, the head of the great barony of Surry, once stood. Here the genius of English liberty held her awful assemblies in those times of public distress. There, as our forefathers have immemorably reported, the barons secretly met and concerted the great plan of their country's deliverance, impervious to the jealous eye of tyranny. Nor is the tradition without its probabi-

lity, to one who examines the nature of the place, and its commodious vicinity to London†.

Writers differ greatly in the character they give of archbishop Langton, who first set this opposition on foot. Some represent him as the restorer of English liberty; as a person who acted with a noble and becoming spirit of independency; and whose conduct, in the public commotions, was such as became the first peer of England and a sincere lover of his country. Others, and among these Mr. Carte, in his History of England, gives a very different character of this prelate. "He seems to have come into England (says the last-mentioned author) full of rancour against him (John), resolved to distress his government, and to embroil the kingdom; though it doth not appear that John had given him any personal provocation: and it is very certain he had made no encroachment upon the rights of the church; being, since he was subdued by the pope, the tamest and most submissive animal in nature, granting his congé d'elire immediately upon the vacancy of prelacies, and leaving the chapters and convents to a free election, without offering to interpose by the recommendation of any particular person. But Langton, copying after his predecessor Becket, wanted to have to himself the disposal of all ecclesiastical dignities, and to act in civil affairs as if he was master of the kingdom." In such a diversity of opinions, concerning events so long before our own times, we can be governed in our judgments only by the concurrent testimonies of historians of the most acknowledged credit, and who were contemporaries at that period. These are unanimous in representing John as a weak and tyrannical prince, totally regardless of the happiness of his people, whom he oppressed a thousand different ways; and Langton and the barons as actuated by a true spirit of liberty, and by a regard to the public good.

It remains now that I speak of the wives and issue of this prince.

John was first married to Avifa, daughter of William, earl of Gloucester, by whom he had no children, and from whom, on that and other accounts, he thought proper to obtain a divorce. By his second wife, Isabel, daughter of Aymar, count of Angoulesme, he had two sons; namely,

1. Henry, who succeeded him.

2. Richard, who was afterwards earl of Cornwall, and king of the Romans.

And three daughters:

1. Jane, who was affianced to Hugh de Lusignan, eldest son of Hugh, count de la Marche, but afterwards married to Alexander, king of Scotland.

2. Eleanor, wife of William Mareschal the younger, earl of Pembroke, and afterwards married to Simon Montfort, earl of Leicester.

3. Isabel, matched with Frederic II. emperor of Germany.

His natural children were,

1. Richard, by a daughter of the earl of Warrenne, and therefore called Richard de Warrenne.

2. Geoffrey Fitz Roy, who died in Poictou.

3. John, prebendary of Shirburn.

4. Henry, lord of the manor of Waltham.

* See page 343.

† Guth. Hist. Eng. vol. i. p. 642.

5. Osbert Giffard.

6. Oliver de Durdent, by Avice Tracey.

7, 8, 9. Reginald, Swynulf, and Eudo, whose mothers, titles, and fortunes are not mentioned.

And a daughter, named Joan, by Agatha, daughter of Robert, earl of Ferrers, married to Llewellyn, prince of North Wales.

The most remarkable occurrences, either domestic or foreign, that distinguish this prince's reign were the following.

In the second year of his reign, French wine was sold in England for twenty-shillings per tun. Afterwards people were allowed to sell red wine for six pence per quart, and white for eight pence, the former price being found too low for them to live by. Hoved. Ann. Burton.

In his fifth year died Peter of Colechurch, who began to build London bridge with stone, and was buried in the chapel upon that bridge.

On the tenth of July, A. D. 1212, great part of London was burnt down: the fire began in South-

wark, and having consumed the church of St. Mary Overy, went on to the bridge; and, whilst great numbers of people ran, some to behold, others to quench the flames, the houses at the other end of the bridge took fire, so that the multitude being thus enclosed, many were forced to leap into the Thames, whilst others crowding into the boats that came to their relief, were the cause of their own destruction, the boats and people sinking together. Near three thousand persons perished by this melancholy accident, partly by water, and partly by fire. Matth. Paris.

The most remarkable foreign events during this reign, were the taking of Constantinople by the arms of the French and Venetians; and the crusade against the Albigenes, or Waldenses, so called from one Waldo, a merchant of Lyons, their founder: both which events the curious reader will find related with great elegance by the celebrated Voltaire, in his Essay on General History, vol. ii.

Of the State of Religion, Laws, Arts, Commerce, Public Revenues, &c. in ENGLAND, from the Accession of WILLIAM I. to the Death of King JOHN. Including a Period of One Hundred and Fifty Years, viz. from A. D. 1066 to A. D. 1216.

Of RELIGION, and of the CHURCH.

THE faith and practice of the church of England continued much the same during the period we are treating of; but the submission of the English monarchs and clergy to the papal chair underwent several changes worthy of notice; for we shall make it appear, that the popes never extended their authority farther than to preside over the church in spiritual affairs, when they found they had to contend with men of firmness and resolution, who, being seated in an imperial throne, knew how to preserve and defend their prerogatives independent of the see of Rome; but that the moment they saw weak and pusillanimous princes were in possession of the English crown, they subjected them and their people, without mercy, to the arbitrary proceedings of haughty legates and refractory prelates. And this political conduct of the see of Rome was not confined to England alone, but extended to all parts of Europe, where Christianity was professed conformable to the doctrines of the Romish church.

During the reign of William I. Gregory VII. possessed the papal chair, and seemed disposed to carry the pretended prerogatives of the popes a few degrees farther than any of his predecessors; and in the pursuit of this point he destroyed the repose of Europe for some years, continually endeavouring to raise the sacerdotal power above that of the western empire. A weak pusillanimous king, Robert of France, had been excommunicated by pope Gregory V. for espousing his fourth cousin; and such was the ignorance and superstition of the times, that his courtiers and domestics forsook him to a man, and refused to eat

with, or serve, an excommunicated prince, so that the king saw himself obliged to purchase his absolution by submitting to undergo a penance of seven years duration, by divorcing his wife, and agreeing to pay a considerable sum into the treasury at Rome as an atonement for his crime. Gregory VII. imagined that what was practised at the end of the last century, would equally prevail in his time, and therefore ventured to menace to depose Philip I. for an affair which was the very reverse of Robert's; for Philip divorced himself from his queen because she was his cousin, and espoused his mistress, on which Gregory VII. threatened to depose him for quitting his relation; whereas his predecessor had excommunicated Robert for cohabiting with his relation. No event more clearly demonstrates, that true religion was not the spring of action at that time in these pious pontiffs, but the same thirst for temporal authority and grandeur that has ever since prevailed in the successors of St. Peter, but happily, in modern times, without effect. Gregory likewise made an attempt on William I. long after his accession to the throne of England, and when he was at the height of his glory: during his residence in his Norman dominions, this haughty pope summoned him by his nuncio to do homage for the kingdom of England, as a fief of the Roman see, and pay the arrears of Peter-pence, which for some years had been laid aside: the king treated the summons with the contempt it justly merited; he told the nuncio, that he held his crown from God alone; and, to prevent the bad effects of the pope's threatened vengeance, he published an edict, forbidding his sub-

jects to receive any orders from Rome without his permission, or to acknowledge any pope without his approbation. Gregory lived not to execute his menaces either on William or Philip; but his successor, Urban II. had the impudence to pronounce the sentence of excommunication threatened by Gregory against Philip, even in his own dominions; but his subjects were wiser than those of Robert, and paid little regard to the formidable sentence.

The first ecclesiastical synod after the Conquest was held at Winchester, in the year 1070, where Ermenfred, bishop of Syon, with Peter and John, two priest-cardinals, presided in the name of the pope. The intention of this assembly was to depose Stigand, archbishop of Canterbury, who was accused of holding that see and the bishopric of Winchester at the same time, of having worn first the pall of Rodbert, his predecessor, and of having afterwards received one from Benedict X. who had usurped the papal chair. The crimes here objected to him were frivolous: the first was, indeed, an abuse, but not of so flagrant a nature as to merit deprivation from both sees: to the second he answered, that he wore the pall of his predecessor only till the pope should send him a new one: to the third charge he replied, with great justness and propriety, that there was no other possessor of the papal chair at the time he received his pall. Notwithstanding these defences, he was deprived of his sees and thrown into prison, where he ended his days in a miserable manner, through the cruelty of William I*.

The case of Agelmar, bishop of the East Angles, was next taken into consideration by this council, who passed the like sentence of deprivation on him and several abbots. On the Whitsuntide following another synod was held, by the king's order, at Windsor, where Agelric, bishop of the South Saxons, and many other of the clergy, were deposed and cruelly treated, only for being Englishmen.

These assemblies also took into consideration the following articles:

I. Concerning the induction of bishops and abbots by symoniacal heresy.

II. Of promiscuous ordination obtained by bribery.

III. Of the life and conversation of those so ordained.

IV. The enjoining bishops to hold councils twice a year.

V. The method of ordaining archdeacons, and other ministers, who were to be preferred in their own churches.

VI. The investing bishops with a free power over the inferior clergy and the laity, in their dioceses.

VII. That bishops and priests do counsel and advise laymen to the performance of penance, on suitable times and occasions.

VIII. Concerning clerks and monks, who have apostatized.

IX. Concerning the ascertaining the fees of bishops, and that none conspire against the prince.

X. Of the payment of tythes by laymen, to be done according to the prescribed rules.

XI. That the goods of the church be held inviolable, and not to be invaded by any one.

XII. Forbids all clerks to bear secular weapons.

XIII. Enjoins due reverence to be paid to all of the sacerdotal character, and a curse pronounced against all offenders in the premises.

Upon Stigand's deprivation, Lanfranc, an Italian, was raised to the archiepiscopal dignity: but, notwithstanding the great credit in which he then was with William, and, indeed, at the court of Rome itself, yet he could never prevail to be excused going thither in person to receive the pall at the pope's hands. Hildebrand, then archdeacon of Rome, and afterwards promoted to the papal chair by the name of Gregory VII. wrote him a letter on that subject, endeavouring to soften the refusal, pretending that there was no precedent of dispensing with this ceremony, in favour of any of his predecessors. But certainly Hildebrand must have been very little read in the ecclesiastical history of England, or else supposed Lanfranc not to know that the pall had been sent to Augustine, Justus, and Honorius, all three archbishops of Canterbury: it was not therefore from a scruple to introduce a new custom, that Lanfranc was denied this favour, but for fear the archbishops should, by degrees, forget their dependence on the pope. We shall frequently see, in the course of this History, how much the Roman pontiffs abused their exorbitant power over the clergy of England.

Whilst Lanfranc was preparing for his journey to Rome, Thomas, canon of Bayeux, one of the Conqueror's chaplains, was nominated to the see of York. Shortly after, the new prelate came to Canterbury, to be consecrated, according to custom; but Lanfranc requiring him to make a profession of canonical obedience to him in writing, he refused to comply, and went away without consecration. This contest making a great noise, the king suspected that Lanfranc had carried his prerogative too high; but, after being informed by several English lords that Lanfranc had required no more than what properly belonged to his see, the king, without taking upon him to decide the dispute, found an expedient to satisfy the two prelates: he ordered Thomas to return to Canterbury, and deliver a written profession of obedience to Lanfranc as his senior, and that the settling the rights of the two sees should be referred to the pope. Soon after

* Malmesbury, who is very partial in selecting such facts as more immediately concern the character of William, informs us that Stigand was kept close prisoner at Winchester, where he lived upon very mean fare: his allowance from the king being but small, he was too avaricious to supply the deficiencies from his own estate. Some of his friends, and particularly Edgitha, the dowager of king Edward, persuading him to live more generously, he swore, by all that was holy, that it was not in his power, and that he was not worth a farthing. The immense riches that were found concealed under-ground after his decease, manifested not only his avarice, but his perjury likewise. They were discovered by means of a little key found hanging about his neck, after he was dead, which belonged to a chest containing notes; by means of which the

quantity, quality, and place of his treasure were discovered. The reason why the partizans of William treated the memory of this prelate with so much acrimony, may be easily assigned from his refusal to crown that king and his endeavouring to establish Edgar Atheling on the throne; hence it is that he is treated with the grossest obloquy by the compiler of the *Annales Waverlienses*, who sticks not to call him an apostate, and every thing that is bad, as appears from his own words: "Deposito Stigando apostata, qui prius fuerit episcopus Halmenfis, quæ sedes postea ad Norwich translata est, & postea episcopus Wintoniensis, ad ultimum Cantuariensis archiepiscopus, & hos tres honores non causa religionis, sed causa cupiditatis simul tenebat, unde a papa Romano excommunicatus fuerat." *Annales Waverl. ad ann. MLXX.*

the two archbishops set out for Rome, where they met with a very different reception from Alexander II. then pope; that of Lanfranc was polite and obliging to the last degree; but the archbishop of York was deprived of his pastoral staff and ring by the pope, on a charge of simony, as was at the same time the bishop of Lincoln. Lanfranc was then appointed the pope's legate, with full powers to remit or execute this sentence, as he should see proper, upon which he generously returned them both their croziers.

As the point of precedency between the two archiepiscopal sees had received no formal decision at Rome, it was resumed on their return to England. Immediately upon their arrival they waited upon the king at Windsor, where, on account of the Easter solemnity, most of the lords spiritual and temporal were assembled. The cause was argued before the king with great warmth on both sides: Lanfranc's great eloquence and interest, however, prevailed so far, that the precedency was declared due to the see of Canterbury; not so much on account of the place, as of the superior power which had always been exercised by the archbishops of Canterbury. The river Humber was made the barrier between the two provinces, and the archbishop of York forced to give up his pretensions to the dioceses of Lincoln, Lichfield, and Worcester, while his jurisdiction was to reach over all the island north of the Humber.

About this time another council was held at Winchester, wherein several canons passed, of which the following are the most remarkable.

The Ist was against any bishops holding two dioceses.

The Vth enacted, that the sacraments should not be given in beer or water, but in wine mixed with water alone.

The Xth forbade the burying of dead bodies in churches.

The XVIth and last prohibits the making of chalices * either of wax or wood.

In the year 1072, a certain penance was imposed upon every soldier who had been in actual service, and the pope's legate approved the ordinance, the four first articles of which I shall, for curiosity, here transcribe.

I. Let him who knows he killed a man in the great battle †, do penance one year for every one, according to the number slain by him.

II. For every one that he struck, if he did not know that he died of the blow, if he remember the number, forty days for every single man, either all at once or by intervals.

III. If he knows not the number of men whom he has slain or struck, let him do penance one day in every week, at the discretion of the bishop, as long he lives.

IV. Or, if he be able, let him redeem it with perpetual alms, by building or endowing a church ‡.

These and other canons on the same head, which seem equally absurd, will appear less so if we reflect that the grossness of that age was such, that the people could have been no otherwise made sensible of the misfortune to which any Christian was

reduced, by being obliged to shed the blood of a fellow-creature, even though an enemy, and upon justifiable grounds.

The next synod we meet with, assembled under Lanfranc, was at London, in the year 1075. In this council it was ordained, that bishops should take place according to their ordination, unless their sees enjoyed the privilege of precedency by ancient custom.

It was agreed "that the archbishop of York should be seated on the right and the bishop of London on the left hand of the archbishop of Canterbury ||, and the bishop of Winchester next the archbishop of York §. Some canons were also passed: the most remarkable are as follow.

The Vth forbids all persons, bishops and abbots excepted, to speak in the councils without leave from the metropolitan.

By the VIIIth, marriage is prohibited to the seventh degree, "according (saith the canon) to the decree of Gregory the Great." But this pope, in his answers to Augustine's questions, limits the prohibition to the second degree only.

The VIIth is against simony. This abuse was now become very common.

The VIIIth is levelled against sorcery and divination, and the like superstitious practices.

The IXth canon of this synod imports, "that no bishop, abbot, or clergyman shall sit as judge in a cause of life and member, or by his authority countenance them that do."

Fourteen prelates, the archdeacon of Canterbury, and twenty-one abbots subscribed the canons of this synod.

It has been already seen how zealously Dunstan and the partisans of Rome laboured to enforce the celibacy of the clergy. This had long been a favourite point with the church of Rome, but her endeavours on this head had hitherto met with small success in England. However Lanfranc, either to make his court to Gregory VII. then pope, or because he was persuaded of the justice of the thing, endeavoured to introduce the decrees of the council of Rome relating hereunto. To this end he convened a council at Westminster, in the year 1076, in which we find this affair warmly debated, and so great an opposition made, that the archbishop was on the point of giving up his design: nevertheless, finding he could not bring the synod to prohibit all the clergy in general from marrying, he procured, on what pretence is difficult to say, the following rule: "That no canon have a wife: that such priests as live in castles and villages, be not forced to dismiss their wives, if they have them; but such as have not, are forbidden to have any. And for the future, let the bishops take care to ordain no man priest or deacon, unless he first profess he hath no wife." This restraint discouraging many persons of merit from taking orders, the church of England was in a little time so ill provided with able ministers, that there was a necessity of relaxing a little in this point, as we shall have occasion to observe hereafter. William I. seems to have considered himself as the head of the Anglican church; for he disposed of benefices according to his own pleasure; separated the ecclesiasti-

* The cups in which the consecrated wine is given.

† Meaning the battle of Hastings.

‡ This article was taken from the councils of Milevis, Brague, and the fourth of Toledo. See Johnson's Collection

of Canons.

|| As being dean of the province of Canterbury.

§ Because he is chanter of the same province. Gervase,

cal from the civil or hundred courts, by an express mandate; and in many other instances, acted as supreme ordinary of the church, particularly in his charter to Battle abbey, in Suffex, which he himself founded. In that deed the king not only grants lands, but exempts the abbot and convent from episcopal visitation †.

William Rufus had neither the resolution nor abilities of his father. He began his reign with fair promises to his clergy and people, dreading a revolt in favour of his eldest brother, Robert; but whenever he got the better of his fears, he continually distressed the churchmen, and carried his outrages as much beyond the bounds of decency and order, as the popes did in support of their usurpations on the prerogatives of crowned heads. He had to oppose him the bigotted Anselm; who, on the death of Lanfranc, which happened in 1089, was raised to the see of Canterbury, from being abbot of Bec, in Normandy.

In 1091, a schism broke out in the church of Rome, and there were two competitors for the papal chair, Odo, bishop of Ostia, called Urban II. and Guybert, of Ravenna, called Clement III. Anselm on this occasion persisted in acknowledging Urban as lawful pope, in opposition to the king, who was inclined to favour Clement, and who in vain urged to this haughty prelate the law made by his father, forbidding the owning any pope in England, but such as the crown approved of. Anselm warmly contended, that the king had no right to intermeddle in church-affairs: the king as warmly denied this proposition; and Anselm was obliged to retire to Rome, where, as usual, he solicited the assistance of Urban against his lawful sovereign. But Urban refusing to engage in his quarrel, he retired to a monastery, from whence he was recalled, once more to raise disturbances in England, in the following reign.

We cannot wonder that under a prince so indifferent about religious matters as William II. was, no ecclesiastical synods were held.

Henry I. having seized the throne, in prejudice of his elder brother (who was then in Apulia, on his return from Jerusalem), granted many privileges to engage the nobles and bishops to consent to his coronation. Among the rest he complied with the request of the bishops to recall Anselm, and

restore him to his former dignity: but, on his arrival he refused to do homage to the king for the archbishopric, or to receive the investiture from his hands; at the same time requiring him to give up the investiture of churches, and the homage of the bishops. The king, fearing that the archbishop would retire, and support the cause of his brother Robert, who had already asserted his right to the crown, after many fruitless debates and appeals to Rome, too tedious and unentertaining to recite, tamely gave up his prerogative, and blindly submitted to the papal authority, in the time of Paschal II. and, at a great meeting of the states, in 1107, the two following articles were agreed to, viz.

I. "That for the future none be invested by the king, or any lay hand, in any bishopric or abbey, by delivering the pastoral staff or ring.

II. "That none, elected to any prelacy, be denied consecration on account of the homage he does to the king."

Matters being thus made up between the king and Anselm, the latter consecrated five bishops, viz. William of Winchester, Roger of Salisbury, Recnm of Hereford, William of Exeter, and Urban to the diocese of Llandaff.

In the year 1108, a synod was held at London, in order to enforce the decrees of a former council concerning the celibacy of the clergy; and its canons are more rigorous than those of any preceding assembly, and were at that time thought so severe that many of the clergy refused to submit to them, notwithstanding Anselm's violent endeavours to enforce obedience.

The death of Anselm following soon after the holding this synod, pope Paschal, in virtue of the concession made by Henry, sent over a pall to Ralph, bishop of Rochester, who was elected by the clergy into the see of Canterbury, though Henry was for setting up a secular clergyman, one Francis, abbot of Abingdon.

When Henry was in Normandy, the abbot Anselm, nephew to the archbishop of Canterbury of the same name, presented him with a commission, empowering him to exercise the legatine authority in England; and Henry consulting the bishops on this subject, they unanimously declared that this legation was contrary to the privileges of the An-

† The style of this charter plainly shews it to have been an arbitrary act of William, and that he did not in the least conceive that the archbishops or bishops had any power, even in church-matters, superior to his; and we find no mention made therein of consent, but only assent, given by the prelates and barons.

William, by the grace of God, king of the English, to all clergy as well as laity throughout England, health.

"Be it known to you, that I have given and confirmed, by the assent of Lanfranc, archbishop of Canterbury, and Stigand, bishop of Chichester, and likewise by the advice of my bishops and barons, that the church of St. Martin the Warlike, which I have founded, according to my vow, for the victory I have obtained in that place, shall be free and quit forever of all servitude and all burdens which the mind of man can devise; and endowed with all the dignities and royal customs which I have granted by my regal authority, as my charter is witness. I therefore will and firmly command, that the said church, together with the estate in land lying round it, be free from all dominion and oppression of bishops, in like manner as that which gave to me my crown, and by which the glory of my government is supported. Neither shall it be lawful for the bishop of Chichester, although the said church lies within his diocese, to lodge, as usual, within the said church, or in the manors belonging to the same, against the will of the abbot: neither shall he there make any ordinances,

nor be in any respect burdensome to the abbot: neither shall he exercise upon the same any dominion, violence, or power; but let it be free from all exaction, as much as my own royal chapel is. Neither shall the abbot be summoned or compelled to go to the synod, unless he shall voluntarily repair thither, upon some business of his own; nor, when he shall think it proper, shall he be debarred from promoting his monks to sacred orders. Neither shall any bishop be contradicted by any one, in freely performing the consecrations of altars, confirmations, or other episcopal benedictions, when required thereto by the abbot or the monks. This likewise has been enacted by my royal authority, and by the attestation of my bishops and barons, that the abbot should be judge and lord of his own church, and the circumjacent land-estate, in all respects. When an abbot dies, let his successor be chosen out of the said church, unless (which God forbid) a proper person cannot be found therein. Let none of my successors presume to infringe or violate this my constitution, thus confirmed by my vow and royal authority. Whoever, therefore, shall do aught against the liberties and dignities of the said church, he shall be liable to make amends to our sovereign crown. The witnesses of this deed are, Lanfranc, archbishop of Canterbury; Stigand, bishop of Chichester; Walceline, bishop of Winchester; Wulfstan, bishop of Worcester; all of whom, in my presence and hearing, have condemned, by perpetual anathema, the violaters of these my commands and constitutions. Given at Winchester."

glican church. Henry, well pleased to find the sentiments of his clergy so conformable to his own, entertained Anselm at his court with great magnificence, but would not suffer his passing over to England; and the archbishop of Canterbury went in person to Rome, to lay the matter before the pope; but his holiness having retired to Beneventum, before the victorious arms of the emperor Henry V. the archbishop followed him thither; but all he could obtain was a letter of compliments, with which he returned to Normandy.

In the mean time Thomas, archbishop of York, dying, Thurstan, one of the king's chaplains, was chosen in his room. This prelate, upon his election, revived the disputes concerning the precedence of the two sees, and refused to make the customary submissions to the archbishop of Canterbury: but the king gave him to understand, he must either comply, or renounce his archbishopric. Thurstan, however grievous it might be to him, chose to resign: nevertheless he prevailed on the chapter of York to send deputies to Paschal II. to represent the wrong done to their see. These deputies managed the matter so well, that Paschal wrote to Henry, exhorting him to restore Thurstan; adding, that in case the archbishops had any dispute about precedence, he would take the decision of it upon himself.

Paschal dying, and Gelasius II. succeeding him, the archbishop of Canterbury sent his agents to Rome, to sound the disposition of the new pope, who told them, that he would send a legate into England to examine into, and settle, the contest: but he was prevented by a sudden death from putting his design into execution.

Guido, archbishop of Vienna, was now chosen pope, by the name of Calixtus II. and was acknowledged by the kings of England and France, and the archbishop of Canterbury: nevertheless, Thurstan found means to work so effectually upon the new pontiff, by dint of pecuniary elocution, that, in a council held at Rheims, he received consecration from the pope himself. But Henry was so enraged at Thurstan's behaviour, that he banished him and all his friends out of all his dominions in England and France.

In an interview, however, which passed soon after between the pope and Henry, at Gisors, he was restored, but on condition that he should not exercise any of his pastoral functions before he had given satisfaction to the see of Canterbury.

About this time Turgot, archbishop of St. Andrews, in Scotland, dying, Eadmerus (to whom we are indebted for that excellent History which bears his name) was, by the recommendation of the archbishop of Canterbury, elected to the vacant see, by the king's licence and the consent of both clergy and laity; but he insisting strenuously upon receiving the episcopal benediction from no other hand but that of the archbishop of Canterbury, whose authority in church-matters he exceedingly magnified, Alexander, king of Scotland, told him that he would maintain the independency of the church of Scotland against the see of Canterbury, or any other. Hereupon the dispute became warm, and Thurstan, archbishop of York, who was now reconciled to king Henry, prevailed on that prince to take part against Eadmerus, who was accordingly deprived of his pastoral ring and staff. Up-

on which, leaving Scotland, he set out for Canterbury, from whence, notwithstanding all his submission afterwards, Alexander would never suffer him to return.

In the year 1122, died Ralph, archbishop of Canterbury. John, bishop of Bath, died the same year: this prelate had purchased the city of Bath from the crown, and removed thither the see of Wells.

In 1123, William Corboyl was elected archbishop of Canterbury. This prelate was a canon regular, but was the first archbishop of that see who had never been a monk.

In 1125, Honorius II. sent cardinal John de Crema into England with the title of legate; but it was not without great difficulty that he was received, after staying a long time in Normandy. He attended a synod at London, touching the marriage of priests†; but in the writ of summons it was expressly declared, that the council was convoked by the order and with the concurrence of the archbishop of Canterbury. Although this legate, from his arrival, was not at all agreeable to the English, he affected, in the exercise of his legation, an insolence of deportment which not a little increased their disgust. He insisted upon officiating in the church of Canterbury, although he was not a bishop; and in the council of London he ordered his seat to be raised, like a throne, above the two archbishops and all the nobility of the kingdom.

In 1127, William Corboyl, archbishop of Canterbury, held a synod at London, wherein he presided as the pope's legate. Little is remarkable in the decrees of this synod, only mention is made of a parish-priest for the first time, in the Vth article, part of which runs thus: "If any parish-priests live with women not allowed by law, or adhere to their concubines or wives, let them be cast out of the order and be deemed infamous." The function of parish-priests, in former times, seems to have been the same with that of a reader in one of our great parish-churches at this time; for we find in archbishop Arundel's Constitutions, an express distinction made between parish-priests and curates or chaplains. By the VIth canon of this council we find that certain officers were then, for the first time, appointed under the title of Ministers of the Church, to manage the secular affairs of a diocese under the bishop, in the same manner as our modern parish-officers called church-wardens and overseers. And by this article the punishment of married priests and their concubines are put into their hands‡.

In the year 1129, died pope Honorius II. upon which a double election into the see of Rome followed: the one candidate was Gregory, a cardinal-deacon, who assumed the name of Innocent II. the other was Peter, a cardinal-priest and a man of quality, who took the name of Anacletus II. By the persuasion of the famous St. Bernard, Henry acknowledged the former in England, and prevailed on the king of France to do the same in his territories.

In the year 1138, during the reign of king Stephen, Albericus, bishop of Ostia, was received as the pope's legate in England without opposition, the king being so precariously situated that he durst not oppose the innovations of Rome. A

† See page 220. of this History, n. *.

‡ See Johnson's Collection of Canons.

synod was held at Westminster under this legate, in which several encroachments were made upon the liberties of the clergy and the independency of the English church. In this council the vacant see of Canterbury was filled up with Theobald, abbot of Bec, who went to Rome to receive his pall from the hands of Innocent II. and assisted at a council held under that pope, as did also the bishops of Worcester, Coventry, and Exeter.

The pope having, at Stephen's request, invested his brother Henry, bishop of Winchester, with the legatine power, he held a council, in the year 1143, at Winchester, in the presence of Stephen. Here two canons were made of a very extraordinary nature.

The 1st was, "That those who violated a church or church-yard, or laid violent hands on a clerk or other religious person, should not be absolved by any except the pope."

The 2d ordains, "That the plough and husbandman in the fields shall enjoy the same peace (privilege) in the fields as if they were in the church-yard."

But the preference which had been given by the pope to the bishop of Winchester over the archbishop of Canterbury, in appointing the former his legate, produced a quarrel between the two prelates, from which the court of Rome derived great advantages; for, upon this occasion, both parties appealed to the Roman see, which, before that time, had very seldom been taken as umpire in English disputes. After a long contest, the bishop of Winchester was deprived of his legation by pope Celestine II. who conferred it on his rival as a free gift of the holy see. The court of Rome would, in all probability, have extended its usurpation still farther, had not the schisms, which happened in that age, kept its ambition within bounds. However, the exercise of the legatine power continued in England at different times till the death of John.

In the reign of Henry II. the famous charter granted by William I. to Battle abbey, was disputed by the bishop of Chichester, as being contrary to the canons; but we are left entirely in the dark as to the determination of this controversy.

In the year 1160 (some place it six years later, others two only), a synod, by command of the king, was held against a new sect of heretics, as they were called, which appeared in England. They appear to have been the real Vaudois, or Waldenses, though they went here under the name of Publicans: their notions with regard to the Creed, the Trinity, and Incarnation, were orthodox; and their leader, one Gerrard, behaved with all the enthusiasm of a man ready to lay down his life for his doctrine. Their notions, however, according to some of our historians, were so extravagant upon other points of Christianity, that they were ordered to be publicly whipped and branded with an iron in the forehead; and it was commanded by public proclamation, that no one should presume to give them any relief, by money or food. This they bore with great resignation, and many of them miserably perished in the rigour of winter.

Theobald, archbishop of Canterbury, after filling the see twenty-two years, was succeeded by Thomas Becket, king's chancellor and first minister, whose disputes with king Henry we have already related in the reign of that monarch, as it

was not so much an ecclesiastical as a civil controversy.

After king Henry had made the conquest of Ireland, and regulated the first settlements of the English in that kingdom, a synod was held at Cashel, in which Nicholas, one of his chaplains, and Ralph, archdeacon of Llandaff, assisted. Here the following canons were decreed.

I. "That the Irish should not marry within the prohibited degrees of consanguinity.

II. "That their children should be catechised (i. e. their god-fathers should be interrogated) and then baptised.

III. "That all Christians should pay tythe of cattle, corn, and other issues and profits, to the parish-church where they dwell.

IV. "That the lands of the church should be freed from all services or burdens laid upon them by the laity, particularly the custom of entertaining or giving free quarter to the great men and their families, when upon any progress.

V. "That no clergyman should be obliged to pay part of the fine laid upon or paid as a composition by any of their relations, being laymen, for murders by such laymen committed.

VI. "That all masters of families, when visited by sickness, should make their will, in presence of their confessor and some of their neighbours; and after a division of their goods and chattels into three portions, one third was to go to the children, another to the wife, and the remainder be set apart for defraying the funeral expences.

VII. "That those who had been confessed immediately before death, and died in the bosom of the church, should be buried with the accustomed ceremonies, and that mass should be said for their souls: and, in fine, that the Irish should for the future conform in all points to the rituals and ceremonies of the English church."

After the murder of Thomas Becket, prince Henry, in his father's life-time, ordered Odo, prior of Canterbury, to proceed to a new election; and the prior making a voyage to Normandy, to consult the king, was desired to use his interest in behalf of the bishop of Bayeux, who did not, however obtain that dignity. We have already observed, in the history of Henry II. that the choice of the convent fell upon Roger, abbot of Bec, who declined the honour. Then they chose Richard, prior of Dover, against whom young Henry appealed to the pope, so that he was obliged to make a journey to Rome, where he was consecrated, notwithstanding all the opposition of the younger Henry, and received the pall from the pope himself.

This new archbishop, at his return, held a provincial synod at London, in the year 1175. Roger, archbishop of York, refused to be present at this council, because his claims were not allowed: these were, that his cross should be borne before him within the province of Canterbury; and that the dioceses of Lincoln, Chester, Worcester, and Hereford should be considered as annexed to the province of York. Several other church-matters were canvassed in this assembly, but not of sufficient moment to claim a place here; and the decrees which passed in it were mostly extracted from former decrees and councils of the church.

The Constitutions of Clarendon being confirmed at Northampton in the year 1176, an ecclesiastical synod

synod was likewise held at the same place and time, to which Henry summoned the king of Scotland, and his clergy, to acknowledge the supremacy of the English church. They accordingly appeared at the time appointed; and as each archbishop claimed the superiority, the Scot made a handle of their dispute to refuse the submission; yet, that he might not involve himself in a dispute with Henry, he referred his cause to the determination of the pope, who sent cardinal Vivian over to England, with power to discuss and decide the controversy. But the Scottish king perceiving that this legate was more attentive to extort money than to arbitrate the difference, would not suffer him to enter his country till he had sworn he would attempt nothing to the prejudice of his crown and kingdom.

The same year the dispute about precedency broke out between the two primates of Canterbury and York, which was carried to such an indecent length, in a synod held at Westminster, under Hugozun, the pope's legate, that the bishops who sided with the archbishop of Canterbury, fell upon him of York with clubs, staves, and even their feet, till they left him almost breathless with their blows. This affair was carried before pope Alexander III. who decreed that neither metropolitan should claim precedency of the other, but according to the priority of ordination.

At this period we find Henry, in consequence of the pope's remonstrances concerning certain hardships sustained by the English clergy, granted the following concessions in their favour. Matt. Paris tells us, that he yielded them at the importunity of one Peter Leon, sent over to negotiate this affair. They were in substance as follow.

I. "No clerk shall be prosecuted in a secular court for any trespass or crime, nor be compelled to appear in person upon any action not immediately relating to the king's forests, or that the fee is lay, and consequently liable to service, either to the king or some other secular lord.

II. "No archbishopric, bishopric, or abbey shall be kept in the king's hands longer than for one year, unless upon urgent necessity.

III. "Those who are convicted of, or confess, the murder of a clerk, shall be punished by the justiciary of England in the presence of the diocesan.

IV. "Clerks shall not be compelled to try any issue by single combat."

But notwithstanding this indulgence of the king, the pope soon after began to find fault with the English clergy for intermeddling with secular affairs, and even wrote a letter forbidding them to haunt the court or royal palaces, as thereby their attention to their pastoral function was improperly distracted. In answer to this letter the archbishop of Canterbury wrote another to the pope, in which he justified bishops living at court, by many arguments drawn from religion and sound policy.

About this time the Scottish clergy are said to have submitted to the archbishop of York as their metropolitan; but the Scotch writers unanimously disclaim any such dependency, and defy our historians to produce any one proof of it. Sir James Dalrymple, a learned Scotch antiquary, has refuted the whole story in a very plain and simple manner*.

In the year 1180, the eleventh council of Lateran was convened at Rome by Alexander III. at which only four English bishops were present†, it being one of the privileges of the church of England not to be obliged to send more than that number to councils held at Rome. The Albigenes, or Waldenses, were excommunicated in this council, and all Christians forbidden to hold correspondence with them.

One of the canons prohibited, on pain of excommunication, to promise benefices before a vacancy. But this prohibition took place only with regard to patrons, and not with respect to the popes, who broke it continually by means of provisoes, of which, in spite of the canon, they made frequent use.

It was also resolved, in this council, to ease the vast expence that churches and religious houses were liable to, for the entertainment of visitors and their retinue: it was decreed, that in visitations an archbishop should not have more than fifty horse, a bishop than thirty, a legate than twenty-five, and an archdeacon more than seven. A rare instance of moderation and reformation! The charges the abbey and churches were at on this occasion, were called procurations, because the churches were obliged to procure what was necessary for the entertainment of their visitors: in process of time this was commuted for, by a sum of money, which kept the name of procurations, and became a terrible source of oppressions imposed by the insolent nuncios and legates of the more insolent see of Rome, upon the churches. Tiltings and tournaments were likewise forbidden; but this prohibition proved of little effect towards abolishing that monument of ancient superstition and folly.

At this time the pope called Geoffrey the king's natural son to account for having enjoyed the revenues of the see of Lincoln, into which he had been elected for seven years without being consecrated; and he was offered the alternative, either to accept of orders, or relinquish his preferment in the church, the latter of which he chose, and accordingly resigned his see.

In the year 1183, pope Lucius, being oppressed by the citizens of Rome, had recourse for assistance to Henry, who, being at that time in Normandy, issued a sum of money to the pope out of the royal Exchequer, rather than suffer the legate, sent over on that occasion, to proceed to England to introduce a custom which might be injurious and detrimental to his subjects.

In this year also cardinal Vivian held a national council in Dublin, with a view of bringing the church of Ireland to an entire conformity to that of Rome; but the English government soon perceiving what he aimed at, took care to disappoint his project, upon which he departed not a little displeased.

In the year 1184, died Richard, archbishop of Canterbury; a harmless but time-serving and avaricious prelate. A difference happening between the prelates and the monks of Canterbury about the right of election, the latter produced such authentic testimonies that Henry allowed them to have the most legal title to it; upon which they chose Baldwin, bishop of Worcester, a favourite of the king, into the vacant see.

* See Dalrymple's Collections, p. 320—325.

† These were, according to Hoveden, p. 582. Hugh, bishop of Durham, John of Norwich, Robert of Hereford, and Reginald of Bath; the abbots were many in number.

Nevertheless the archbishop, with the approbation of Henry, concerted a scheme for destroying their interests in all future elections. This was by erecting a society of secular canons at Hackington, about half a mile from Canterbury; but the artful monks quickly saw through this scheme, and bestirred themselves so effectually at the court of Rome, that the pope wrote over to the archbishop, peremptorily ordering him to desist from his design; so that the building, which was now in great forwardness, was, to the great mortification of Baldwin, entirely stopped.

In the year 1188, the government of Scotland took so seasonable an advantage of the troubles in which Henry was involved, that it obtained a bull from pope Clement III. by which the church of Scotland was rendered independent of that of England.

As to the particulars of Henry's engaging and disengaging himself in the business of the crusade, we have already related them in the civil history of his reign.

At the death of this monarch, the sees of York, Winchester, Ely, Salisbury, and London were vacant; and at an ecclesiastical synod held by king Richard, in 1189, at Pipewell, in Northamptonshire, the archbishopric was conferred upon Geoffrey, the king's natural brother, formerly elect of Lincoln; William Longchamp, chancellor and prime minister to Richard, was made bishop of Ely; Winchester was bestowed upon Godfrey de Lucy; London was given to Richard, archdeacon of Ely; and Salisbury to Hugh Waller, dean of York. Geoffrey was obliged to pay a round sum to the crown for his see, to obtain the king's confirmation; and the archbishop of Canterbury entered a strong claim to the privilege of giving them consecration. Soon after cardinal de Agnani came as legate from the pope, to adjust all differences between the archbishop and the monks of Canterbury, which had been revived on both sides in relation to the affair of canonical obedience, and the building the church at Hackington. Richard forbid the legate proceeding farther than Dover; and he himself, in conjunction with the queen-mother and the archbishops of Rouen and Dublin, laboured so effectually, that a final accommodation seemed to be concluded: the legate then had permission given him to come to Canterbury. By the pacification it was agreed that the church should never be finished, while the monks on their part profess canonical obedience to the see of Canterbury: at the same time a prior, who had been forced upon the convent, was laid aside.

Several objections were now started against the consecration of Geoffrey, elect of York; the bishops of Durham and Salisbury protested against the validity of the election, as being made in their absence; and the dean and treasurer of York excepted to his person, as having been born in adultery, and concerned in bloodshed while he fought his father's battles against the rebels. These protests were followed by appeals to the pope, who referred the hearing of the affair to his legate, who gave it in favour of the elect; and his opposers were won over by the king to withdraw their appeals; and Richard soon after set sail upon his expedition to the Holy Land, in which he was attended by the archbishop of Canterbury; by which means the

difference about that prelate's consecrating Geoffrey was removed.

Baldwin dying at the siege of Ptolemais, the king cast his eyes upon Hubert, bishop of Salisbury, who also attended him in his expedition, as the most proper person to fill the see of Canterbury. Accordingly he wrote over to the queen-mother to support Hubert's interest; and he had soon after the satisfaction to hear that he was unanimously elected.

At Richard's return to England, the clergy of York preferred grievous complaints to the pope against their archbishop, whom they accused of divers irregularities, and of discouraging appeals to the court of Rome. The pope, in consequence hereof, directed a commission to the bishop of Lincoln, the archdeacon of Norwich, and the prior of Pontefract, for trying the archbishop, and for suspending him in case they should find the charge against him properly supported, unless he would make his personal application at Rome within three months. Geoffrey paid very little regard to this injunction; and as the bishop of Lincoln refused to execute the pope's orders, that pontiff suspended Geoffrey from all temporal and spiritual jurisdiction.

Mean while Hubert, archbishop of Canterbury was vested with a legatine commission, by virtue of which he held an assize and synod at York, in the cathedral there, where he enacted some canons to prevent and reform the avarice and corruption of priests, as well as the practice of false swearing, against which they pronounced the sentence of general excommunication. As there is something very particular and tremendous in the form of these general excommunications, I shall here exhibit one of them, as taken from an old Saxon manuscript, but modernized for the use of the readers of this age. It is levelled against theft, but doubtless was likewise applicable to perjury, or any other crime.

"By the authority of almighty God, Father, Son, and Holy Ghost, and St. Mary, mother of our blessed Lord, and St. Michael the archangel, and St. Peter the prime apostle, and St. Nicholas, and St. Augustine, and all Christ's saints, let the men be excommunicated and damned that committed this theft, that consented to any part of it, or shared in it, or that have or expect any part of it; and let them be separated from entering into holy church, and from the fraternity of God's elect. Moreover, let them have their portion and punishment with Judas, our Lord's disciple, and with him that said to our Lord, "Depart from us, we will not have the knowledge of thy way;" except they be converted and betake themselves to satisfaction. Let them be accursed eating and drinking, walking and sitting, speaking and holding their peace, waking and sleeping, rowing and riding, laughing and weeping, in house and in field, on water and on land; in all places: cursed be their head and their thoughts, their eyes and their ears, their tongues and their lips, their teeth and their throats, their shoulders and breasts, their feet and their legs, their thighs and their inwards; let them remain accursed from the bottom of the foot to the crown of the head, unless they bethink themselves, and come to satisfaction. And just as this candle is deprived of its present light*, so let them be deprived of their

* In pronouncing these words, the bishop, priest, or other, who pronounces the sentence, and who holds a lighted taper in his hand, turns the same downwards and puts it out, as do likewise the assistants, who each of them carry one of these tapers.

fouls in hell. Let all the people say, So be it, be it so."

After this progress, the metropolitan, as we have observed in another place, erected a chapel at Lambeth, with a view to establish secular canons, according to the scheme formerly projected at Hackington; but the monks of Canterbury having again recourse to the pope; he ordered him to desist from his design.

But under John, Richard's successor, Hubert acquired a great increase of credit and influence with the see of Rome; for Giraldus Cambrensis, the famous historian, being elected bishop of St. David's, laid claim to a metropolitanical right over the sees of Llandaff, Bangor, St. Asaph, Chester, Hereford, and Worcester, and refused to profess canonical obedience to the see of Canterbury: but Hubert's interest proved too powerful for Giraldus, who was obliged to renounce his election, and another was consecrated in his room.

About the same time the dispute between Hubert and the monks of Christ-church was again taken into consideration, and compromised upon the following terms: the archbishop was allowed to rebuild the church and chapel of Lambeth, but limited both as to the number of canonries with which it was to be endowed, and in the value of the settlement he was to make upon them.

In the year 1200, the same archbishop held a national synod at Westminster, in which several canons were made touching the celebration of baptism, and the payment of tythes; the latter of which articles was always enforced in every council: and all Templars, Hospitallers, and other religious, were forbidden to receive tythes from laymen without the consent of the bishop.

In the year 1201, a pious though bold impostor appeared, whose name was Eustace, and was abbot of Flay. Having observed that there was a general profanation of the Lord's day, which, according to his enthusiastic notions, was to begin on Saturday at three o'clock in the afternoon, and last till sun-rising on the Monday following, he forged a letter, which he pretended to have been written against the profanation of the Sabbath by Christ himself, and to have been found on the altar of St. Simeon, at Golgotha, near Jerusalem. Full of a frantic zeal, he went over all England, preaching against this impiety, and with prodigious effect upon the common people, who looked upon him as inspired from above; and all markets, fairs, and labour, which been wont to be commonly practised or held on Sunday, were now laid aside.

In the history of John's reign we have been so circumstantial in relating his disputes with the pope, that very few ecclesiastical matters of any consequence remain to be discussed.

In 1206, the pope being desirous to levy an extraordinary Rome-scot, or tax of St. Peter's pence, the bishops assembled a synod, to deliberate upon the demand; but a mandate from the king obliged them to break up their sessions, without coming to any determination. Nevertheless, Florentinus, the pope's legate, called another synod at Reading upon the same account; and, as if the clergy had persuaded the king to his late refusal, extorted from them an aid in lieu of the extraordinary Rome-scot demanded by the pope.

In 1211 we find John extorting no less than an hundred thousand pounds sterling from the clergy and religious of England.

In November, 1216, pope Innocent III. convened the twelfth council of Lateran, at which were present four hundred and twelve bishops, and amongst them Langton, archbishop of Canterbury. This council passed fourteen canons; and since the church of England was no less concerned than the other churches of Christendom in the statutes made therein, it cannot be foreign to our purpose to take some notice of them: but however, to avoid prolixity, I shall only transcribe the three canons which seem remarkable above the rest.

The 1st establishes, in very strong terms, the presence of the blood of our Saviour in the sacrament; and that the bread is actually and identically transubstantiated into the body, and the wine into the blood, of Christ.

The 3rd canon of this council is an audacious attempt to raise the ecclesiastical power on the ruins of all civil right and authority. It enacts,

"That all secular powers (in which are included all sovereigns) shall be solicited and addressed, and, if need be, compelled by ecclesiastical censure, to take an oath to use their utmost endeavours to extirpate all heretics out of their dominions. That the same oath shall be exacted from all persons promoted to any dignity, spiritual or temporal: and if any temporal lord shall refuse to purge his demesnes of heretics, after having had proper notice given him so to do, he shall be excommunicated by the metropolitan and his suffragans; and in case of contempt or refusal of satisfaction within one year, that the pope should declare his subjects and vassals absolved from their oath of allegiance, and at the same time exhort the catholic princes to fall upon his territories, with permission given them to enjoy the same, if they conquered them, saving the right of paramount to the sovereign of the fief, provided there should be such a right, and that the said paramount shall in nought have incurred the displeasure of holy church by any infringement of this canon."

By the XIVth canon it should seem that the celibacy of the clergy was not yet universally established; for it is there provided,

"That in case the clergy, who, by the laws of the country in which they live, were allowed to marry, should become libertines, that they should be treated with double severity."

At this council appeared ambassadors from the king of England, who charged the archbishop of Canterbury with abetting and assisting the barons in their opposition to their sovereign. The charge being proved, or pretended to be proved, the sentence of suspension, which had before been issued against this prelate, was now confirmed. The clergy of York appeared there at the same time, and petitioned for the confirmation of Simon Langton (the archbishop's brother) into the see of York, to which they had elected him; but the pope refused to comply with their request, and ordered them to proceed to a new election. The prebendaries thereupon made choice of Walter de Grey, bishop of Worcester, who was accordingly confirmed by the pope, and received the pall from his hands, but not till he had softened this pontiff into a compliance by a present of ten thousand pounds; to such a bare-faced length did the

see of Rome at that time carry its venal power and tyranny.

After this short sketch of church-transactions, we shall now take a transient view of the religious orders that settled in England, of the prelates who

distinguished themselves for their piety and learning, and of the historians who flourished in this island during the period of time we have had under consideration.

RELIGIOUS ORDERS.

TOWARDS the end of the eleventh or the beginning of the twelfth century were instituted the orders of the Carthusians, Cistercians, and Præmonstratenses, who afterwards settled in England; to these may be added the Regular Canons, reformed by Ivo de Chartres, in 1098. Concerning these I shall say a word or two, in order.

The Carthusians were so called from Chartreuse, a town of Grenoble, in France, where they were first established, by one Bruno of Cologne, a canon of Rheims. They are said to have settled in England in 1180: these followed the rule of St. Benedict, or Bennet*. They were but a small body, and, though too rich, indeed, for men who had divorced themselves from the world, still continued, notwithstanding their wealth, in the strict observance of fasting, silence, prayer, and solitude; they led a life of tranquillity amidst the general tumults which distracted the rest of the world.

The Cistercians had their name from Cistercium, or Cîteaux, in the diocese of Chalons, in France, where they first assembled, under one Harding, an Englishman, in 1099. St. Bernard was soon after received into this society, whence they were styled Bernardines: these refined also upon St. Bennet's rule. They came hither in 1128: being brought in by William Giffard, bishop of Winchester, and were first settled in the abbey of Waverley, in

Surry. In 1151, their chapter made an injunction, that there should be no more monasteries of their rule founded, there being already five hundred at that time.

The Præmonstratenses, or Norbertines, was an order founded by St. Norbert†. They were brought into England in 1146, and settled at New-house, in Lincolnshire. They followed the rule of St. Augustine.

The Canons were distinguished into Regular and Secular; the first reforming upon the last, gave them that name by way of reproach. They pretended to receive their rules from St. Augustine.

In the same reign (namely that of William Rufus) the famous order of Sempringham was founded, whose origin was this: Joceline, a knight of Lincolnshire, having a son, named Gilbert, whom, on account of some bodily imperfections, he thought unfit for the world, he made him a priest, and gave him a benefice in a town of his, in Lincolnshire, called Sempringham. This Gilbert was founder of the order of the Gilbertines, or monks of Sempringham: they enclosed within one house both men and women, but separated them by walls, that they might neither see nor hear each other. This order, in his life-time, increased to ten houses, containing in all seven hundred brethren and fifteen hundred sisters.

LEARNED MEN in the XIth, and XIIth CENTURIES.

THE most remarkable ecclesiastics who lived in England from the accession of William I. to the death of king John, were the following.

Aldred, archbishop of York, who crowned William I. was a good and pious prelate. He had been bishop of Gloucester, where he built the cathedral. Afterwards he purchased several estates, and annexed them to his archbishopric: he was also a great benefactor to the abbey of Beverley. Simeon of Durham tells us, that he went in pilgrimage through Hungary to Jerusalem, which no English bishop was ever known to have done.

Stigand, archbishop of Canterbury. This prelate was a person of noble birth, and supposed to have been of Danish extraction. His possessions lay in the country of the East Angles, and, before the Conquest, were imagined to have been greater than any in England, excepting those of Harold

and Edwin. Though he was not very deeply read in books, he was profoundly versed in mankind; and had great natural parts, improved by reflection and increased by experience: his judgment was clear, and his understanding solid. His prudence, constancy, magnanimity, and extraordinary talents had been universally acknowledged. He was possessed of an insinuating address, an irresistible eloquence, and great artfulness. He was magnificent, perfectly acquainted with business, possessed every qualification requisite for a statesman, and was able to manage the humours of persons to his own advantage. His immense riches, power, and character, gave him great influence over persons of all ranks, and his interest was employed entirely in defence of the rights and liberties of his countrymen. He had been chaplain to Edward the Confessor, and had so great an ascendant over that mo-

* St. Benedict, or St. Bennet, was born about the latter end of the fifth century, in the duchy of Spoleto, in Italy, and studied at Rome. At the age of seventeen he retired to the desert of Sublaco, at the distance of forty miles from that city, and lived three years in a frightful cavern. He was afterwards elected abbot of a neighbouring monastery; but being disgusted with the manners of the monks, he once more retired to solitude, where he was in a little time joined by such a number of disciples, that he built twelve monasteries. Understanding there was a temple of Apollo at Monte Cassino, he went thither, converted the inhabitants, demolished the idol, built two chapels on the mountain, and laid the foundation of the famous monastery of Monte Cassino. There he composed his rule, and founded the order of the Benedictines, who in a little

time spread themselves all over Europe.

† This saint was born in the duchy of Cleves, in the year 1082, son of the count Gennep, and related to the emperor Henry V. who appointed him his almoner, or chaplain, and offered him the archbishopric of Cambray, which he refused. Tired of a court-life, he resigned his benefices, sold his patrimony, and distributed his money to the poor; then he went teaching and preaching from place to place, until St. Bernard gave him a solitary valley, called Prémontré, where he founded the order of Canons Regular. He was afterwards forced to accept the archbishopric of Magdeburg, and thither translated his canons, whose austere life astonished the canons of that see, and had well nigh excited a rebellion against their founder.

narch, that, when all the rest of the nobility had failed in their application, he prevailed with him to condescend to an accommodation with Godwin, and to consent to the driving out of the Normans. On the expulsion of Rodbert he was promoted to the see of Canterbury; but the monks were so much exasperated at his preferment, on account of his being a secular priest, that they endeavoured to brand his memory with some reproaches, which he deserved less than some of their greatest favourites. His retaining the see of Winchester, after he had taken possession of that of Canterbury, has furnished them with a pretence for charging him with avarice. Though, when we consider the low ebb at which learning was in his days in England, the danger that might happen to the nation from filling the great posts of the kingdom with foreigners, and the necessity he was under of keeping places for some time in his own hands, before he could meet with Englishmen proper to fill them, he might justly be acquitted from the charge of avarice. That lucre was not so much his motive in this point, appears from the manner in which he employed the revenues that he received during the vacancies; every farthing of which seems to have been expended in ornamenting and enriching religious houses. According to Thorne, he was a great benefactor to St. Augustine's; and his many sumptuous presents, whose value was inestimable, are standing proofs of the truth of our assertion. The manner of this prelate's death we have already related, p. 366.

Marianus Scotus, born in Scotland, A. D. 1028, at thirty years of age retired to a monastery at Cologne. He was afterwards removed to the abbey of Fulda, where he wrote a General History of Europe from the creation to the year of Christ 1082. His death happened four years after he had put the finishing hand to this laborious work. The Scots were at that time in great credit in Germany, where fifteen monasteries were founded by a prince of their nation, who had served in the wars of Charlemagne, and all the abbots were natives of Scotland.

Wulfstan, bishop of Worcester, had a great character for his piety, which, as usual, has, by the monkish writers of those times, been carried so far as to pretend that he wrought several miracles, as well in his life-time as after his death. It appears, however, that Lanfranc, archbishop of Canterbury, had no great opinion of this prelate's merit, since he endeavoured to have him deprived by a synod, for insufficiency and want of learning. Thus much however is certain, that he had a considerable share of vanity; for when the monks, who attended him in his last moments, expressed their affliction at the prospect of losing such a pillar of the church, he comforted them with assurances, that he should be able to patronize them more powerfully after his death than he had been during his life.

Lanfranc was an Italian, and born at Pavia, and, after he had finished his studies, made a monk in the abbey of Bec, in Normandy, where he taught logic with great reputation. He rebuilt the church of Canterbury, which had been burnt by the Danes, and limited the number of monks of St. Augustine to one hundred and fifty. He wrote a Commentary on the Epistles of St. Paul, and an Ecclesiastical History; but he chiefly distinguished himself by his writings against Beren-

garius, archdeacon of Angiers, who held the appearance of Christ in the eucharist to be only a mere sign. Afterwards he fell into the opposite extreme of impanation: but being condemned in a synod at Rome, under Nicholas II. made a solemn retractation, wherein he professed to believe, "that the elements, after consecration, are not only the sacrament, but the very body and blood of Christ; and that this body and blood of Christ is sensibly, not only in the sacrament, but in truth handled and broken by the hand of the priest, and bruised by the teeth of the faithful." Such was the doctrine which Lanfranc introduced into England; which he endeavoured to establish upon the credit of several pretended miracles wrought by prelates, whose lives were written by Osborn at his request. We should have observed, that Lanfranc was prior of the abbey of Bec when the duke of Normandy sent him to Rome to manage the affair of his marriage with Matilda, who was related to him within the prohibited degrees of consanguinity. The manner in which the prior acquitted himself was so satisfactory, that William made him abbot of the monastery of St. Stephen, at Caen, in Normandy, which he was obliged to found, in order to obtain the grant of dispensation on that account; from thence he was afterwards removed to the see of Canterbury.

Anselm, abbot of Bec, and afterwards archbishop of Canterbury, was born in the year 1033, at Aost, a small town in Italy, belonging now to the duke of Savoy. At seven-and-twenty years of age, he turned monk, in the abbey of Bec, of which Lanfranc was then prior. When this latter was made abbot of St. Stephen's at Caen, Anselm became prior, and afterwards abbot of Bec, from whence he was promoted to the see of Canterbury. He made more noise than all the prelates of the English church, by his contests with William Rufus and Henry I. The former of these disputes being of little consequence, I shall not descend to particulars, having elsewhere related what is material: I shall only observe one circumstance, which shews pope Urban's address in getting himself owned in England.

Clement the antipope being alive when Urban II. was elected, the English court refused to acknowledge either of the competitors, till Anselm, falling out with William Rufus, openly espoused the cause of the latter, contrary to the king's inclination, who was rather in the interest of Clement. William looking upon this act of Anselm as an outrage offered to himself, resolved to humble this haughty churchman, and sent Urban word, that if he would transmit to him Anselm's pall, that the latter might receive it from his hands, he would in return get him acknowledged as pope in England. Urban readily closed in with the proposal, and sent the bishop of Alba into England to manage this matter according to William's desire, who in return acknowledged Urban for lawful pope in the most authentic manner; but when he expected to receive the pall from the hands of the nuncio, he plainly told him that it was contrary to the canons of the church, that a bishop should receive his pontifical insignia from a layman, and William too late found himself outwitted by the crafty pontiff, for which he never forgave either him or Anselm; and the latter was obliged to leave the kingdom, to avoid the royal resentment, and continued

nued abroad till the death of Rufus rid him of those apprehensions.

During his stay at Rome he was present at a council, wherein excommunication was denounced against all ecclesiastics who should for the future receive the investiture of benefices from the hands of laymen. In obedience to this decree, when he was recalled to England by Henry I. he refused to do homage to that prince, or consecrate certain bishops whom the king had invested. As this refusal was a direct insult upon the royal prerogative, Henry could not but highly resent it: nevertheless, desirous to keep well with the see of Rome, whose power was now become formidable to most crowned heads of Europe, he sent ambassadors to Paschal II. to complain of this insolence, and desire that he would lay his apostolical injunctions on the refractory prelate to conform to the established customs of the kingdom; but, to his great surprize, the pope flatly refused to grant his request, which he said was against the decrees of several councils. Henry, on his side, would not give up his right; he commanded the archbishop to do him homage, and consecrate the prelates he had invested; and upon Anselm's persisting in his refusal, the king ordered him to quit the realm; a command which the other set at open defiance: upon which the king's council was of opinion, that Henry should banish the archbishop, and renounce all dependence upon the pope. The king not thinking it adviseable to proceed to these extremities of his own accord, summoned a general assembly of the states of the nation, wherein it was resolved that ambassadors should be sent to Rome, in order to persuade the pope by gentle means to desist from his pretensions. The archbishop of York and two other prelates were charged with this commission; and at the same time Anselm deputed two agents to make his case good at his holiness's tribunal.

The king's ambassadors had no reason in the least to be pleased with the reception Paschal gave them, who told them, in a seeming fury, that, so far from granting their request, he was determined rather to lose his pontifical crown, than abate the least tittle of his pretensions. Anselm's agents had their audience apart, and the pope on all occasions affected to treat them with distinguishing marks of his esteem and favour, and even gave them letters for the king, in which he exhorted him to desist from his claim of investitures. The dispute began now to grow very serious; Paschal threatened to excommunicate the king; and Henry, in return, drove Anselm again out of the kingdom, who thereupon retired to Lyons.

The difference, however, was at length compromised between Henry and the archbishop, by the mediation of Adela, countess of Blois, the king's sister, on these terms: that the king should renounce the right of bestowing the investiture of benefices; and the pope permitted the bishops and abbots to do homage to the king for their temporalities.

Anselm composed several theological treatises, of which father Gerberon published the largest edition in 1676. His writings, according to the testimony of Du Pin, abound in metaphysical questions and logical arguments. His letters are written in a less elaborate style than his other works. He was

also the first who composed long prayers in the form of meditations. He passed for a prelate of great learning and an unblameable life. He died in 1109, and was canonized in the reign of Henry VII. at the instance of cardinal Moreton, then archbishop of Canterbury.

Gilbert, bishop of London, was famous in the reign of Henry I. and, on account of his great learning, was styled the Universalist*. He was author of a Commentary on David's Psalms, and an Exposition on the Lamentations of Jeremiah.

Osmund, bishop of Salisbury, by birth a Norman, was earl of Dorset and privy-counsellor to William I. when he was made a bishop. He composed a Liturgy, which was adopted by all the churches in England†. This prelate died in 1099.

Malachy, archbishop of Armagh, in Ireland, rendered himself famous for his prophecy concerning the popes who were to succeed in the papal chair after his time. These prophecies were written in such an ambiguous manner, as to admit almost any interpretation. He died in 1150, at the monastery of Clerval, in France. The famous St. Bernard wrote his life.

Ingulphus was born at London, in 1030. His father was one of king Edward the Confessor's courtiers. He was first taken notice of by William when that prince (then only duke of Normandy) came over upon his visit to king Edward, who took him with him into Normandy as his secretary: but, some time after, he resigned that post, and went on a pilgrimage to Jerusalem. At his return he became a monk in the convent of Fontevraud, in Normandy, from whence he was sent for by William, after the latter had gotten possession of the English throne, and by him made abbot of Croyland, of which monastery he wrote the history, and therein has occasionally mixed the story of our kings, from the year 664 to 1091, on which account he is by many reckoned the first of our English historians after the Conquest. He died in 1109.

Joffrid, his immediate successor in his monastery, is said by some authors to have been the first who opened schools at Cambridge, where he settled four of his monks as professors.

This Joffrid, about the year 1114, introduced a custom, which was afterwards generally practised by all the monks; upon Good Friday, every year, he stripped himself to the waist before all the convent, and caused himself to be severely scourged. This was done as a penance for their sins, and to impress in their minds a deeper sense of the sufferings of a Saviour, who was brought to the cross to atone for those sins.

Godfrid, prior of Winchester, was one of the best writers of his time, if we may believe William of Malmesbury. Among other works, he composed a Panegyric on the English Primates. He reformed the style of the Breviary, by clearing it of the many barbarisms with which it was loaded; and it is even pretended that he was the real corrector of the Liturgy which was ascribed to Osmund, bishop of Sarum.

John of Salisbury was one of the ornaments of the English church, being alike distinguished for his knowledge, politeness, and unblemished morals. He

* These kinds of names were much in vogue at that time, as marks of honour for such as were distinguished in the sciences.

† In those days every diocese had a different liturgy.

was united in a strict friendship with pope Adrian IV. who would often complain to him of the many weighty cares that embittered the possession of the so much coveted tiara. He was a faithful adherent of Thomas Becket, whose fortunes he constantly followed: at length, by his means, he obtained the bishopric of Chartres. He wrote a book entitled *Polycraticon*, or, *De nugis curialium*.

As for Thomas Becket and Stephen Langton, we have already given their characters.

Baldwin, archbishop of Canterbury, who attended Richard to the Holy Land, passed for a good theologian, and not without justice, as will appear from several of his writings still extant.

Hugh, bishop of Lincoln, a native of Grenoble, in France, flourished under the reigns of Richard I. and John, and was deservedly esteemed one of the most illustrious prelates of our church. It is remarkable, that hardly one of those whom he excommunicated (a sentence which he put in force only upon the most justifiable occasions) escaped without some signal marks of the divine anger even in this life, which made his censures greatly dreaded among his diocesans. As an instance of his great purity and zeal for the house of God, we are told that he, by his own authority, caused the tomb of Rosamond the Fair, mistress of Henry II. to be removed from out the choir of Godstow church, in Oxfordshire, where it stood, covered with black velvet, and surrounded with wax tapers, saying, that no earthly sovereign should compel him to be a silent witness of such indignity offered to the mansion of holiness. He died in great reputation for sanctity, and was canonized by pope Honorius III.

During the quarrel between king John and the pope, one Alexander Cæmentarius, a preacher then in great reputation, maintained the royal cause with much warmth, disclaiming, in public sermons, all power which the pope pretended to, over secular princes, and confining his jurisdiction to spirituals only. A plain proof that the clergy, even in the hottest time of their persecution, were not unanimous in their opposition to John. This man had been professor of theology in the university of Paris. By his honest doctrine, however, he brought upon himself the persecution of the see of Rome, which reduced him to the condition of a common beggar.

Walter Grey, made archbishop of York in the reign of king John, distinguished himself as a minister of state; enriched his diocese with the addition of the lands of Thorpe, purchased with his own money; and built a magnificent structure, which was at first called York Palace, but afterwards known by the name of Whitehall.

As to the historians who lived during this period the most noted are,

Florence, a monk of Worcester. This writer composed a Chronicle of the World, from its beginning to the year 1118; supposed to be an epitome of a larger work compiled by Marianus, whom he calls the author of his Chronicle. His chronology is very distinct, and he has made a judicious use of the labours of other historians who preceded him. His style, though not polished, is free from many of those absurd and gross barbarisms, which have crept into the writings of his contemporaries, though men of greater genius. Ball calls him Florentius Bavonius, and gives him an extraordinary character for parts and learning. He died

in 1119, but his Chronicle was continued fifty years farther by another monk of the same monastery.

Alured, or Alfred, a priest of the college of Beverley, of which he was likewise treasurer. This author, who was cotemporary with the former, was born in the North of England, and educated at Cambridge. He began his History during the difference between Henry I. and archbishop Anselm. In his time no person was thought properly accomplished, who did not make the British history his study. This writer died in the year 1136. His preface to his History, which has in it an air of modesty not void of elegance, shews him to have had no mean talents; but he has suffered miserably by ignorant transcribers.

Eadmerus, of whom we have already spoken, was an author of sense and gravity. He wrote the History of the two Williams and of Henry I. the publication of which we owe to the learned Mr. Selden. His plan was entirely ecclesiastical, but then he has introduced so many civil affairs that his work is equally instructive in both kinds. His style is elegant, though, by Mr. Selden's leave, not to be put upon an equality with that of William of Malmesbury. His intimate connection with Anselm, and the great credit he was in with his contemporaries, afforded him many advantages in the execution of the work he undertook, which he has done with more impartiality than could be expected from a professed advocate for the papal authority. In the same age lived

William of Malmesbury, an historian inferior to none in antiquity, for the boldness of his sentiments, the beauty of style, and knowledge of mankind, if we consider the barbarity of the age he lived in. His chief work was that *De gestis Anglorum*, Concerning the Actions of the English, written in five books, with an Appendix in two more, which he styles *Historiæ novellæ*. These contain a judicious collection of whatever was to be found on record from the arrival of the Saxons till the reign of Stephen, A. D. 1142. In the preface to his work he says, that as to all the latter facts he has transmitted, he either was eye-witness to them, or had his information from persons of undoubted authority; but it is plain that he never heard of, or had a very contemptible opinion of Geoffrey of Monmouth's History. He was a monk and librarian of the college of Malmesbury, in Wiltshire.

Simeon of Durham was a monk and preceptor of that place. Leland tells us, that he distinguished himself by his indefatigable care and assiduity in collecting the monuments of English learning that had escaped the ravages of the Danes. He flourished in the reigns of Henry I. and Stephen. Simeon's History of the English Transactions, which is chiefly compiled from Florence of Worcester, reaches no farther than 1129.

The Chronicle of Melros claims for its author the abbot of Dundrainan, in Scotland, though it certainly had several continuators. This abbot appears to have been an Englishman, and a domestic to Walter, the first Stuart of Scotland, according to sir James Dalrymple. This Chronicle contains many curious particulars relating to the kingdom of Northumberland.

Henry, archdeacon of Huntingdon, lived in the reigns of Henry I. and king Stephen, to the end of whose reign he has brought down his History,

which

which is very defective in method, and abounds with a number of fabulous stories transcribed from Geoffrey of Monmouth.

Ealred, Æthelred, or Aldred, surnamed Rievalensis, was abbot of Rievaulx, or Rievelsbury, in Lincolnshire. He had his education north of the Tweed, with Henry, son to David, king of Scotland, of whom we have already spoken. He was held in great esteem by the most respectable personages of his time. He wrote a Life of Edward the Confessor, the History of the Battle of the Standard, and the Genealogy of the Kings of England. He died in 1166. To this abbot

William, a monk of Newburgh, commonly called Gulielmus Neubrigenfis, an elegant writer for those times, dedicated his History, which ends with the year 1197, and in which Geoffrey of Monmouth's work, that had till then been looked upon with a kind of barbarous reverence, is clearly shewn to be no better than an idle romance. This historian is said to have been alive in 1220, four years after the accession of Henry III.

John, prior of Hexham, who lived in the reign of Richard I. wrote a Continuation of Simeon of Durham's History, which he has brought down to the year 1154. He appears to have been a much better historian than Simeon himself, and to have written from clearer information.

Richard, another prior of the same convent, demands a place here, as author of an History of King Stephen's Reign, and of the Battle of the Standard, in which we find several particulars not to be met with in other historians.

Roger Hoveden was chaplain to Henry II. He wrote a book of Annals, that begin with the year 732, and are carried down as low as the reign of king John. In the beginning of his history he has borrowed from Simeon of Durham, in like manner as this latter did from other authors: but, as Mr. Selden very candidly observes, in his preface to the Ten English Writers, there are many important passages in Hoveden's work, which are wanting in that of Simeon: "thus (adds he) Hoveden is not to be looked upon as a plagiarist with respect to Simeon, but an accurate writer, who carefully compiled a useful work from former authors, of which Simeon was one." And, indeed, his work is written in a very pleasing and intelligible style, and abounds with several very valuable materials for the civil as well as ecclesiastical history of the times he has treated of.

Ralph de Diceto, dean of St. Paul's, lived in the reign of king John, and wrote a Chronicle of the British Kings from Brute to Cadwallader, and from Hengist to Harold. He is very modest in the story of Arthur, the fabulous hero of the Britons: and at the end of his Chronicle we find an account, though by an uncertain hand, of the division of England into bishoprics, counties, and kingdoms, in the time of Egbert, king of the West Saxons. Diceto was likewise author of Chronological Abbreviations, which relate chiefly to church-affairs, and end at the Conquest: and the Imagi-

nes Historiarum, or, Images of History, which consist chiefly of historical hints, with a wild uninteresting digression upon wars between parents and children in all ages, occasioned by the differences between Henry II. and his sons; and conclude with an account of the interview between John, king of England, and the king of France, in the year 1199.

The Chronicle of John Brompton, abbot of Sorewall, in Richmondshire, now the North Riding of Yorkshire, begins with the year 588, and ends with the death of Richard Cœur de Lion, in 1198. This work is only valuable for containing a large collection of Anglo-Saxon history, faithfully extracted, and agreeing perfectly with our most authentic records. There is, indeed, a mixture of romance and improbability in many of the facts he relates; but this may be attributed rather to the false taste of the age, than of the writer: he is, furthermore, with justice accused of being very negligent in his chronology.

John Wallingford, supposed to have been abbot of St. Alban's, wrote a short Chronicle of the progress of the Saxons and Danes in England. This work is still preserved in the Cottonian library, though wretchedly mutilated and defaced.

Gervase, a monk of Canterbury, lived in the reign of king John, and is said to have been profoundly learned in matters of antiquity, particularly the British and Saxon. He compiled a large History of the Britons, Saxons, and Normans, from their origin to the reign of king John, with an account of the division of old Britain, its episcopal seats, and monasteries. The greatest part of this work is lost; but the remains, which contain the reigns of Stephen, Henry II. and Richard I. sufficiently evince the whole to have been a very valuable performance.

I shall close this part of our work with a word or two concerning

The old Saxon Chronicle, or Annals, the most noble monument of history extant. It begins from the birth of our Saviour, and ends with the death of Stephen, in 1154. By the difference of the style, and other infallible marks, it is plain these Annals were composed at several times. To the year 731, they chiefly follow Bede as to church-affairs: but their account of the wars between the Anglo-Saxons and Britons, is borrowed from no writer that we know of; and therefore to them it is that we are indebted for the relation of what passed in those days. Asserius's History of Alfred and the Annals correspond in so many things, that the one seems to be a translation of the other: in a word, they have been the foundation of all our histories to the Norman Conquest. They were published at Oxford, in 1692, by Dr. Gibson (afterwards bishop of London) who, from all the manuscripts, has made up the text as entire and complete as possible, with an elegant and proper version, void of affected strains and unlucky mistakes, which used to abound in works of this kind.

L A W S.

LET us now review the state of the laws of England from the accession of William I. and the several changes, amendments, and additions made in the succeeding reigns.

Some historians, willing to blacken as much as possible the too blameable character of William I. positively maintain that he totally abrogated all the laws of Alfred the Great, and of Edward the Confessor, introducing in their stead the Norman laws, the better to oppress and harass his English subjects; but the candid judicious critic will find, upon nice examination, that this is a false and malicious charge, which takes its rise in the introduction of the Norman language, and of the custom of having all the law-pleadings and records in that language at this period; which was not surprizing, as the French language and manners had been first introduced in the days of Edward the Confessor.

The principal innovations really made by William I. and before his time unknown in England, were, the general survey of the lands throughout England, by commissioners appointed for that purpose; the erection of a court of Exchequer, and of a court of Chancery; the depriving the bishops of their privilege to assist at county-courts, appointing them a separate tribunal; and the erecting seminaries for teaching the Norman language, to which all parents were obliged to send their children, under severe penalties: these are the principal new oppressions introduced by the Norman, and so loudly complained of; with what degree of justice we shall presently examine. In the mean time it must be remarked, that the renewal of Dane-gelt, and the permitting the barons to exercise all kinds of jurisdiction within their own manors, had often been practised before the Conquest, and, though an oppressive measure, was not a Norman innovation.

To return to the survey of the lands, which has ever been deemed the most arbitrary act of this monarch's reign; it must be acknowledged, that the rigid method of making this survey by the verdict of sworn-juries in every county, who specified the minutest particulars of the landed and personal estates of every subject, was a manifest exertion of tyrannic power; and therefore it is no wonder that the register in which this account was kept, acquired the odious title of *Domesday Book* *. But then this hateful term referred more to the base use the king made of this register, than to the re-

gister itself; which, under certain limitations, afterwards became not only useful, but absolutely necessary: but William, by means of this particular account of the possessions of each individual, laid heavier impositions on all his subjects than their effects could bear, and caused them not only to murmur at his conduct, but, on every favourable occasion, to take up arms in their own defence.

As the foreigners who came in at first with Edward the Confessor, and afterwards with William, were a mixed people, under that denomination consisting of the inhabitants of divers countries in the north of Germany, and some Flemings, whose leaders and principal men were Normans, we must not imagine that all the Norman laws and customs were brought in; on the contrary, a mixture of the Saxon and Norman laws appears evident in all the law-transactions of these times, as well as in the manners and customs of the age, and many of the old Danish and Saxon laws and usages were handed down to the next century.

But the fundamental part of the municipal laws were undoubtedly introduced from Normandy by William, and continued with little variation to the death of John. A particular detail of the analogy betwixt the laws in use in England during this century, and those practised in Normandy, would be tedious and unnecessary, we shall therefore only notice a few of the principal, such as our tenures, or manner of holding estates; and the customs incident to such tenures, as aids, fines, rents, military services, &c. which were actually the same in England as in Normandy, as may be seen by comparing them with *Berauld's Treatise on the Customs of Normandy*. We shall hereafter see that these laws, set on foot under despotic government, became, with proper modifications, the basis of the municipal laws of the limited monarchy; and that many of them are in force to this very day: to instance in one particular, the copyholders, at this time, by committing felony forfeit their lands, and they escheat to the lord of the manor. These manors, which are likewise preserved to this day, owe their origin to William I. † The Normans called these possessions *Manors*, from the Latin *manendo*, because the lords usually had their seats in them; and these were called manor-halls, or courts, where the tenants were bound to attend every three weeks, besides giving attendance at the general courts held, as now, about Easter and

* For another reason for this name, see the note to p. 185.

† William, to reward the services of those Normans who had adventured their lives and fortunes with so much success to place him on the English throne, disposed of all the lands that had belonged to the nobles in the interest of Harold among them. Robert, his uterine brother, had the earldom of Cornwall, which contained five hundred and forty-eight manors; besides which he possessed five hundred and fifty-eight in other counties. Resolved to aggrandize his own family, William made Odo, bishop of Bayeux, his other brother, earl palatine of Kent, and justiciary of England: this prelate had one hundred and eighty fiefs in Kent, besides two hundred and fifty-five in other places.

William Fitz Osbern, who had been of signal service to his cause, was rewarded with the Isle of Wight, together with the earldom of Hereford; and placed, together with Walter de Lacey, William's standard-bearer and lord of Ewyas, in order to repress the incursions of the Welsh, which they did effectually by invading Brecknockshire, and routing Rhees, Cadogan, and Meredith. The town and county of Chester were at first granted to one Gherbode, a Fleming; but, on his cap-

tivity in Flanders, was transferred to Hugh d'Avranches. Alan Fergeant, duke of Bretagne, the Conqueror's son-in-law, had all earl Edwin's estate, with the same privileges as Hugh de Loup held the county palatine of Chester. To Roger de Montgomery he granted first the towns of Arundel and Chichester, and afterwards the county of Salop. Walter Giffard, count of Longueville, was made earl of Buckinghamshire. William de Warren, a distant relation of the Conqueror, obtained the county of Surry. Eudes, earl of Blois and Chartres, who married the countess of Aumale, William's sister, was put in possession of Holderness. Raoul or Ralph de Guair, a Breton, was made earl of Norfolk and Suffolk, and lord of Norwich. Henry de Ferriers received Tutbury castle. Hugh de Grentmesnel obtained the town of Leicester. Geoffrey, bishop of Coutances, in Normandy, who often acted as William's lieutenant general, after the battle of Hastings, was made justiciary of England, received no less than two hundred and eighty manors, and at his death bequeathed them to his nephew Robert de Mowbray, who, after the death of Walcher, bishop of Durham, was made earl of Northumberland.

Michaelmas. The lords of manors held of the king, or of some great baron, during this period; and herein consisted the exertion of arbitrary power: for these great barons had cognizance of all causes civil and criminal, except ecclesiastical, and were accountable only to the judges of the king's court of Exchequer, where they were sure to meet with a favourable decision, the judges as well as themselves being the creatures of the crown, appointed to these jurisdictions purposely to keep the people in slavish subjection. The jurisdiction of the barons taken away, the manors and manor-courts, under proper limitations (of which we shall speak at large in the course of this work), still remain, without prejudice to the subject.

The Exchequer was founded by William, in England, on the plan of the same court in Normandy, and still subsists, and, in many respects, on its ancient footing. The great officers of this court were pretty much the same at this period as at present: there was a capital justiciary, a chancellor, treasurer, &c. all barons; instead of our chief-baron, barons, chancellor, &c. The business of the court was not only keeping the accounts of the king's revenues and treasures, but likewise to hear and determine causes, as has been before observed, concerning the great baronies of England; it also included the jurisdiction of the court of Common Pleas; but this, being found oppressive to the subject, was abolished under the reign of Edward I.

In a word, the proceedings in common law were held in the courts of common pleas before itinerant judges in the several hundreds and counties, except where the decision of causes were permitted to be by single combat or ordeal, both of which, soon after the period we are now upon, were totally abolished.

As the municipal laws had their origin from Normandy, so likewise had the titles and authority of our great officers of the law. William and his immediate successors had their grand-justiciaries, whose power was indeed more extensive than that of our chief-justice of England, as they were invested with great part of the authority of the present chancellors and chief-barons of the Exchequer, the office of chancellor being only to direct the issuing of royal grants, charters, and special writs, and to seal them with the king's seal, of which he was the keeper.

It is to be observed also, that our terms and vacations correspond with those of the ancient Normans, particularly long vacation, which was at the time of vintage and harvest, when evidences could not be spared from their labours, to attend trials, without manifest damage to the country.

In a word, whoever is curious to know the origin of our old laws, and of our several courts of justice, will find them minutely described, with very little difference, in the authors who have wrote on the laws and customs of the Saxons, Danes, and Normans, and in the epistle to the sixth part of sir Edward Coke's Reports.

I shall now, agreeable to the plan I laid down in the former part of this History, proceed to give my readers an abstract of the several laws and civil regulations made by the different kings during the period we have been treating of. The first are those of

WILLIAM I.

Which were published by Mr. Selden, and are, perhaps, the same which Ingulphus says, at the end of his History, he had brought from London to his abbey of Croyland. I shall use Mr. Tyrrel's translation, where he does not appear to have been mistaken.

The Ist establishes the right of sanctuaries within churches, and the fines upon sacrilegious offenders, and those who broke the king's peace. These pleas belonged to the crown.

The IId establishes a double forfeiture of what any body should pay for the like offence, under different circumstances; upon any one who shall evil-entreat the man of the king's bailiwick, and shall thereupon be convicted by the king's justice, he shall forfeit double to what any other man should forfeit in the like case.

The IIIId is concerning violators of the public peace. He who breaks the king's peace, by Dane law shall make amends by an hundred and forty-four pounds; and the king's forfeiture, which belongs to the sheriff, is forty shillings by Mercian law, but fifty shillings by West Saxon law. And if any freeman having sac and soc, and toll and theam, and infangtheof, be impleaded and condemned to forfeiture in the county-court, then that belongs to the sheriff, viz. forty acres by the Dane law. And of another man that has not those liberties, thirty two ores: the sheriff shall have ten to the king's use, and he who impleads him shall have twelve ores more for satisfaction, and the lord on whose land he dwells shall also have other ten ores; that is the law of the Danes.—This law is evidently of Saxon original: as to the word Ore, it appears that it was a quantity of bullion, and not any determined specie of money; Mr. Somner thinks that twelve ores made a pound.

The IVth law is concerning one accused of theft, and what shall be done with his surety, the party being fled; in which case the Mercian law is, that if any one be appealed of theft or robbery, and then is bailed to appear to justice, and shall after that fly for it, his pledge or bail shall have four months and one day to find him out; and if he cannot find him, he shall then purge himself by the oath of twelve men, that he knew him not to be a thief at the time when he bailed him, nor had any hand in his running away, neither can find him. The rest set forth what forfeiture he shall pay to the king, and what for the were or head of the party so absenting himself, which is different according to the West Saxon and Dane law; yet so, that if within one year and four days he can find the thief, and bring him to justice, the twenty shillings which were paid for his head, shall be restored to his pledge or surety.

The Vth is concerning the apprehending of a thief without any pursuit or cry; in which case, if the pledge shall deliver him up to the person from whom he stole, if he fly and shall afterwards appear, he shall pay ten shillings for his first escape; but the person is bound to try him at the first court after his taking; but if he fail to do it, he shall forfeit fifty shillings.

The VIth is concerning the particular sums of money that any man shall pay to the provost, who shall rescue any horses, bullocks, cows, hogs, or any other sorts of beasts, which is called in English forfengen;

forfengen; in which case the complainant shall pay to the provost, or under-sheriff, for the rescue of a cow or an ox, eight pence; for a hog, four pence; for a sheep, one penny: and farther, the party who seized them shall find sureties, that if any come to claim the cattle within a year and a day, he will then produce in court whatever he had before rescued.

The VIIth is concerning things found by chance, which is much to the same effect with the ancient Saxon laws concerning these things, viz. first they are to be shewed in three places of the neighbourhood, that so there may be good witness of their being found; and if any will come and lay claim to them, he shall find pledges that, in case any other should also claim them within a year and a day, he will be ready forthwith to produce in court whatsoever he had so found.

The VIIIth is concerning homicide, and the were or price of each man's head, to this effect: if any one kill another, and be convicted, and yet deny to make satisfaction, he shall give unto the lord for his manbote, for a freeman ten shillings, for a servant twenty shillings, as a were or price of the life: that of a thane, by the Mercian and West Saxon law, is twenty pounds; and the were of a villain one hundred shillings, by the same law.

The IXth is concerning those to whom the were, or price of the head or life, was to be paid. If the man-slayer were of the half-blood to the widow, thus; that the man-slayer shall pay to the widow and orphans ten shillings, and for their share the orphans and kindred shall divide it among them.

The Xth is the value of certain animals, when they are taken in weres. A stoned horse is valued at twenty shillings, a bull at ten shillings, and a heifer at five shillings.

The XIth appoints a penalty on him who wounds another.

The XIIth orders a groat or four pence to be paid by any one who shall wound another so as that the bone is laid open or extracted; and a farther composition to be paid, in case the offender shall not express great regard and kindness for the offended, which if they do, the latter is to accept whatever the former shall offer.

The XIIIth establishes the several rates that are to be paid for the loss of limbs, or joints. A hand or foot was to cost the moiety of a were, according to the offence; a thumb, the half of that; the fore-finger fifteen shillings, the middle-finger sixteen shillings, the ring-finger seventeen, five shillings for the little-finger, the same for a nail, and five shillings and four pence for the nail of the little-finger.

The XIVth makes the fine for violating a married woman the same as for death.

The XVth makes the fine for false judgment the same as for death, unless the judge shall swear upon the Gospel, that his sentence was according to the best of his knowledge.

The XVIth establishes the manner in which one accused of theft is to purge himself; for if one accuse another of theft, and if the one accused be a freeman, and hath clear testimony of his honour, he shall purge himself by his oath; but he who has been infamous, must do it by the express oath of fourteen lawful men; or, if he cannot have so many, by that of twelve: if he cannot have those,

he must stand his trial; and the appellant, with seven other men shall swear that he did it not for hatred, or any other motive but to come at his own right.

The XVIIth is concerning those who are appealed or accused of breaking open a monastery or a house; where, if such were never before accounted infamous, they should purge themselves by twelve men: but if he were a person of bad fame, then by forty-eight men; and if he cannot procure them, then by trial. The sense of the rest is what share the archbishop, bishop, as also the court and baron should have by the Mercian law, within whose diocese or jurisdiction the theft was proved or confessed.

The XVIIIth is concerning the payment of Peter's pence, viz. that a freeman who has to the value of thirty pence, shall give one penny to St. Peter; but for four pence that any lord shall pay down, all his cottagers, villains, and servants shall be acquitted: but a townsman who had chattels to the value of half a mark, as also a freeman, living under the Dane law, having cattle to the value of half a mark, shall pay likewise one penny.

The XIXth is concerning a rape, which forfeits the offending member: the throwing a woman to the ground and attempting her chastity, forfeits ten shillings to her lord and master.

The XXth provides for the payment of St. Peter's pence.

By the XXIth, the putting out the eye is punished with a fine of seventy English shillings; but only half so much when the eye is only blemished and the person is not rendered blind.

By the XXIIth, the relief of an earl belonging to the king is established to be eight horses fully caparisoned, four corselets, four helmets, four spears, four swords, four shields, four hunters and four palfreys with bridles and head-stalls.—The reader may compare this law with the rate of herriots appointed by the LXIXth law of Canute, p. 160.

The XXIIIth sets down the relief of a baron, viz. four horses saddled and bridled, two halberts, two helmets, two shields, two lances, two swords, and one huntsman, one hunting-horse with bridles and head-stalls.

The XXIVth is concerning the relief of a vavator to his liege-lord, viz. that he was to be acquitted for his horse, such as he had at the time of his death; as also by his halbert, and his helmet, and his shield, his lance, and his sword: but if he died so unfurnished of these things as to have neither horse nor arms, then the heir was to pay one hundred shillings in money.

The XXVth is somewhat obscure, by reason of the perplexity of the syntax; but this is the purport of it: if any man shall cry emblet (that is, shall challenge any ware or merchandize taken from him by stealth), and find pledges to pursue his claim, then he in whose hands the thing is found, shall name his guaranty, that is, the person of whom he had it, if he have any such; but if have not, he shall name his hennel burh (i. e. his surety), that the thing shall be forth-coming and his witnesses, whom he shall have ready at a certain day or time: but if he have no guaranty nor witnesses, he shall lose his goods, and pay a were to his lord, as it is in Mercian law, Danish law, and West Saxon law.—The rest of the law is so very unintelligible, that it cannot be translated.

The XXVIth appoints the mulct to be paid by a hundred, when a man-slayer, or one accused of manslaughter, cannot be brought to justice. By this law, if a Frenchman was murdered, and if the hundred could not take the murderer and bring him to justice, and to stand his trial in eight days time, then the hundred shall pay forty-seven marks.

The XXVIIth enacts, that if a tenant wants to derationate or to direign, that is, plead off a covenant, with regard to his possession, against his lord, it ought to be direigned by the peers of the tenant in the same tenure, who shall be summoned for that purpose, for it cannot be direigned by strangers.

It is hard to comprehend the meaning of the XXVIIIth: it seems to be, that a person pleading in any court, excepting that where the king is personally present, and if that person shall be questioned for any thing, and there is any thing said which he does not confess, unless the person so accused, can direign by eleven intelligent men, who are to contradict the fact, then the person so accused shall remain at the king's mercy.—Mr. Tyrrel, in his translation of this law, seems entirely to have misunderstood its sense; the words of Glanville (*De Leg. & Consuet. Angl. lib. x. cap. 12.*) attempting to explain it, are almost as obscure as the law itself. The reason of it I take to be, that a man speaking words in a court, can easily clear himself, if questioned for those words, by eleven persons present, of being the author of such words; which if he does not do, the charge must be admitted, and he remain at the mercy of the court. It is fit I should set down both the words of the law, and of Glanville, that the reader may judge for himself, as I own myself to be very diffident on this head. The words of the law are as follow: “*Home qui plaide en curt, a qui curt qui eo scit fors la ou le cors, le rei est e home li mettid sur quil ait dit chose, qui il ne voille coinistre se il ne pot deranier per xi. entendable home, del pleidant & veant qui il nelaurad it recovered a sa parola.*” The words of Glanville are, “*Quicumque aliquid dixerit in curia, vel in placito, quod iterum negaverit, vel unda sequela, vel warrantum, probationem sufficientem non habuerit, vel ad hujus contrarium dicendum, vel ad quod negandum, per sufficientem probationem districtus fuerit in misericordia domini regis remanet.*”

The XXIXth is concerning the relief of servants or villains, which was to be the best live cattle, whether horse, bull, or cow, that he had at the time of his death, which he shall give to his lord, and afterwards he shall be admitted to frank-pledge as other villains.—The reader is here to take care not to confound this or the foregoing reliefs mentioned in these laws, with the herriot so common among the Saxons; for, notwithstanding the laws of king Canute on this head being so very similar with those of the Conqueror, it will plainly appear that what are properly called reliefs, came in with the Normans.

The XXXth enacts, that whoever shall kill a person travelling upon any of the three great streets of Watling-street, Ickning-street, or Fosse, breaks the king's peace.

The XXXIst says, that if a thing stolen, together with the stealer, be found within any one's ground, the lord of the land and his wife shall

have the moiety of the robber's goods, if they find them; but if the robber be found within sac and soc, the lord's wife shall lose her share of the robber's goods, and the lord shall have them all.—Mr. Tyrrel, in translating this law, inserts a parenthesis, as if the lord were to have the goods, even though the lawful owner, from whom they were stolen, should claim them; but this I do not find in the original French.

By the XXXIId, a man shall be appointed out of every hide of land of the hundred, between Michaelmas and Martinmas, to guard or keep the highways; and the ward-reeve, or overseer of the highways, shall for his pains have thirty hides discharged of this service: and if any horses or cattle die in the highways which he is to oversee, and that he cannot shew that it suffered violence, that horse, &c. shall be made good by him.—But though Mr. Tyrrel has thus translated it, the sense in the original seems to be very different; for it implies, that if the cattle shall stray, without any force being proved, or if they should be denied water, then the bailiff ought to make them good.

The XXXIIId says, that they who till the land, ought not to be troubled for ought but their chief-rent; nor ought the land-tillers to leave their lord's land as long as they are able to perform their stated services. The natives who leave their land, ought not to ask for a certificate of being a native upon another land, that so they may avoid the services appendant upon their own land: and if they leave the lands upon which they were born, and go to others, none shall retain them or their goods, but shall send them back to perform the services belonging to them: and if the seignories, or lords of manors, will not make those fugitives return to their lands, the law shall do it.—The tenants *glebæ ascriptitii*, were, according to Bracton, *lib. i. cap. 11.* freemen, though they did villain's service; for those services were not appendant to their persons, but their possessions, and were inseparable from the glebe or soil: nor could they be disseised of their tenements while they paid what they owed; nor could their masters compel them to continue longer in their tenements than they pleased.

The meaning of the XXXIVth seems to have been quite mistaken by Mr. Tyrrel; for it implies no more than that no villain shall withdraw any part of the service he owes his master, on account of any indulgencies formerly shewn him by that master.

The XXXVth exempts women who are with child and under sentence of death, from undergoing that sentence before they are delivered: and the same with regard to the loss of her limbs.—This law is still in force when a woman pleads her belly.

By the XXXVIth, if a man die intestate, his estate to be equally divided among his children.

By the XXXVIIth, if a father shall take his daughter in adultery in his own house, or in that of his son-in-law, he was then at liberty to kill the adulterer.—This law seems to be of Saxon original, since we find no such power vested in their husbands.

The XXXVIIIth is remarkable, but, I think, not near so difficult to be understood as Mr. Tyrrel has made it. It says, that if a person kills another through necessity; or if, the more easily to manage my vessel, or to avoid death, I should throw
your

your goods over-board, then I cannot be impleaded of those actions. The rest of the law is the same, vice versa.

The XXXIXth says, that where there are two partners, and one of them is absent, as where two are copartners of an heritage, and one of them, being impleaded without the other, loses his right by his own negligence, it shall not prejudice him who was absent, because such judgment ought not to affect him.—Mr. Tyrrel has translated the Saxon word *Girth*, which is used in this Norman law, by the word *Heritage*; but it seems properly to signify an Agreement, and is rendered by Lambart and other glossographers by the word *Pax*.

By the XLth, the lawful relief of a tenant who holds his lands at a yearly rent, is made to be one year's rent of such lands. But Glanville says, that the reasonable relief of any one, according to the custom of the kingdom, is an hundred shillings for one knight's fee, and a year's rent for soccages: as to baronies, the reliefs are uncertain, they being in the king's power and at his mercy.

By the XLIst, justice is recommended to judges; and an injunction is laid against selling any person out of the land, especially into an heathen country.—I cannot understand what Mr. Tyrrel means by translating this part of the law, "And we forbid any Christian in this land to sell his garment for payment; for care ought to be taken, that a life be not lost, which Christ redeemed with his blood."—The law goes on: whoever shall promote or give false judgment, for hatred or malice, or bribery, he shall forfeit to the king forty-shillings; and if he cannot prove that he could do no better, he shall lose his freedom, if he cannot redeem it at the king's pleasure. And if he be within the Dane law, shall forfeit *lahstle* (i. e. pay the mulct for violation of the law), if he cannot prove that he could judge no better. But whosoever shall refuse or deny right, law, and judgment, he shall forfeit to him whom he denies it, according to his rank; if to the king, six pounds; to an earl, forty shillings; if it be within an hundred, thirty shillings: and to those who sue in England, all must be paid in English money: if within the jurisdiction of Dane law, whoever denies right judgment, he shall be obnoxious to the punishment of *lahstle*: nor shall any many complain to the king of failure of judgment in hundred or county.

The XLIIId is concerning taking a distress. None may take a distress, either within the county or without, until he has three times demanded right in the hundred and county-court; and if he cannot have right at the third demand, he shall then go to the county-court, and that shall appoint him the fourth day; and then if he who should claim it fail to appear, the other may use his liberty to take the distress to his own use.—This law is entirely of Saxon origin, as are the two next.

The XLIIIId is, that none shall buy any thing without lawful vouchers, viz. none shall buy the value of four pence, either of dead or live goods, without the testimony of four men of the borough or town: and if any one challenge it, and he have no testimony thereof, nor warrant of it, he shall render to the challenger his goods, and he shall have the forfeiture to whom it is due: and if he have witnesses, as we have said above, let him vouch them three times, and the fourth time disreign, (i. e. stand trial for it), or else restore it.

The XLIVth, concerning stolen goods put into the hands of a third person, seems only a continuation of the former to this effect: for it does not appear reasonable to us (i. e. the king) that proof be made by the witness of those who know that the thing is sequestered or put into the hand of a third person; but that no proof be thus made till six months after the things are stolen.

The XLVth is a kind of commentary upon a law of king Canute's, and runs as follows: he who is accused in court of robbery by witnesses, and makes default three times, and the summoner shews his three defaults, then he shall be required to find sureties for the peace, and to take trial: but if he will not, or cannot be found alive or dead, let all he hath be seized, and let the accuser have his chattels, and the lord the moiety of what remains, and the hundred the other moiety.—Two or three sentences more of this law, which Mr. Tyrrel has not translated, seem to lay a forfeiture upon the next of kin, outlawing the thief at the same time, but is very confused and unintelligible.

The XLVIth appoints that none shall lodge a stranger above three nights, unless he be recommended by a friend.—This law likewise is a confirmation of many laws to the like purpose among the Saxons, and was intended to prevent the straying of servants and their being harboured.

The XLVIIth is, that no person shall let his man or servant depart from him after he is accused of any crime.—Mr. Tyrrel has translated this law rightly; there seems to have been some mistake in the translation printed by Wilkins.

The XLVIIIth ordains, that whoever meets with a thief, and without cry lets him go, he shall be mulcted according to the value of the thief.—Mr. Tyrrel has, I think, mistaken the meaning of the original here; for he says, "unless he can prove the party was no thief:" but the law supposes that the party is a thief, therefore it could not lie upon the party accused to prove that he was no thief; for that he was so, must appear by the evidence of the prosecutor, in which if he fails, the party accused is acquitted of course. It must be owned, however, that there is great obscurity in the original, "and he that shall make cry and presently cease, the king shall mulct him for so ceasing, unless he can purge himself."

The XLIXth is, that every lord shall produce his servant or his pledge, that, if he be accused, he may be tried at the hundred-court.

The Lth law is concerning the manner of the purgation of one accused, to this effect: if any person accused be within the hundred, and four men arraign (accuse) him, he may purge himself by the twelfth hand (the oaths of twelve men); but if he fly from the place where he was arraigned, his lord shall pay his were: and if the lord be accused that he was privy to his flight, he shall clear himself by six men; but if he cannot, he shall be fined to the king, or else be outlawed.

After these laws, which the reader may perceive are generally penal, there is another code, which is considered and set down by Mr. Tyrrel as being a distinct body, and containing the civil digest. Sir Roger Twissden gave them, with some variations from the copy published by Lambart, from the Red Book of the Exchequer. In that book, none

of the laws of William I. were distinguished into heads, that being first done by the learned Selden. In the copy of these laws, published by Wilkins, they are printed as a continuation of what we have just given; but with what propriety I cannot see, since they run in a quite different form, being given by way of charter; I shall, therefore, set them down, because they are of the utmost importance to this history, and consider them as a distinct code.

WILLIAM, king of the English and duke of the Normans, to all his subjects, French and English greeting.

The Ist law concerns religion and public peace, and is only a general injunction to all his subjects to observe uniformity in their worship, and in their belief in Christ.

The IId law recommends loyalty and duty towards their king, to be observed by all freemen within the kingdom of England, by oath and fealty; and that they defend his lands, honours, and possessions against all his foes, and against all foreigners.

The IIId law is concerning the death of a Norman or Frenchman, and runs as follows: we will and firmly enjoin, that all who came with us, or who shall come after us, be under our protection, and in our peace, throughout all our aforesaid kingdom: and if any of them shall be killed, his lord shall produce the man-slayer within five days, under the penalty of paying six-and-forty marks of silver to us, so far as the substance of that lord can hold out; and in case of that failing, the hundred in which the murder was committed shall make it up in common.—The reader may compare this with the XXVIth law preceding.

The IVth enacts, that every Frenchman shall pay according to the law of England, if in the time of Edward the Confessor he was a partaker of what is called scot and lot.

The Vth law is concerning feudal right, and the privileges of freemen; it runs thus: we will, firmly command, and grant, that all freemen of our aforesaid monarchy and kingdom, have and hold their lands well and in peace, from all unjust exactions and talliages, so that nothing may be exacted or taken from them but by their own free service, which they rightfully owe and are obliged to perform to us, in like manner as has been appointed them, and is given and granted by us as an hereditary right in perpetuity, by the common council of our aforesaid kingdom.—This law is of importance, as it plainly proves that the Conqueror, as he is called, passed acts, in his assembly of states, or parliaments, which he consulted in the same manner as the Saxon princes had done. By this act it likewise would appear, that talliages were by this time come in use. As this word will often occur in the English history, it is proper to explain the rise of it, from the History of the Exchequer: the principal regal revenue anciently arose from the lands and tenements granted by the king; and they were terræ dominicales, the demesne lands, and are mentioned in Domesday Book, under the title of Terræ Regis, the tenants whereof were anciently obliged to maintain the king's table, and had their residence on, and their living out of, the king's lands, rendering their corn, sheep, oxen, and other produce of the land itself, to the king. But because this was cumbersome to deliver in specie,

they came afterwards to another method, which was by assessment of those demesne lands, according to the value and produce thereof; and this talliage was settled by justices, who went, by the king's orders, and overlooked such lands, and made the assessment; and therefore the title is, "De tallagio dominorum regis per Galfridum de Luci, & socios suos." Frequent examples of this are to be met with in Maddox, p. 483—485. These tenants being the king's villains, were thus taxable by the king's justices; but otherwise were free from all suit and service to any court whatsoever, except their own; so that they might mind the business of the king's husbandry, and be the better able to supply the king. These supplies, when paid in money, were called gifts, donallaffizæ, redditus affizæ, &c. but most frequently tallagium; and were of two sorts, viz. first, what were gathered by the sheriff; and, secondly, such as were gathered by other great persons that had many of them in their own hands, and therefore paid them themselves into the Exchequer, and there received the acquittances: such were the talliages of the cities, who appeared in the Exchequer and accounted in person; but the other manors, that were dispersed in the counties, as it appears by Maddox, p. 519. were accounted for by the sheriff; for none were talliaged, (i. e. taxed, by the king, or his justices), but ancient demesnes, and boroughs holding of the crown. Maddox, p. 520.

The VIth law is concerning night-watches, and is as follows: we do also ordain and firmly command, that all cities, towns, castles, hundreds, and wapentakes of our said kingdom, be watched and kept each night by turns, to prevent enemies and malefactors, as the sheriffs, aldermen, provosts, and other our bailiffs and ministers, shall see it, by the common council, for the benefit of the kingdom.

The VIIth law is concerning measures and weights, thus: also that all the persons above-mentioned keep, through the whole kingdom, faithful sealed measures and weights, as our good predecessors have ordained.

The VIIIth is concerning the duties of tenants or vassals, thus: we also ordain and firmly command, that all earls, barons, knights, and their servants, and all freemen, of our said whole kingdom, always have and maintain themselves well provided both with horse and arms, as behoves and becomes them to do; and that they shall be always ready to fulfil and perform their whole service to us, whenever there shall be need, according to what they owe to us of right, out of their fees and tenements, as we have appointed them by the council of the whole kingdom, and as we have given and granted to them in fee, according to hereditary right: and this our command shall not be violated in any wise, upon pain of absolute forfeiture.

The IXth enjoins that the subjects do all they can to preserve the royal prerogative from all violations, and is as follows: we likewise appoint and firmly ordain, that all freemen of our kingdom be as sworn brothers in defending, with all their might and power, our monarchy and kingdom, against all our enemies, and in manfully preserving inviolable the peace and dignity of our crown and right judgment; and in causing, to the utmost of their power, justice to be done without fraud or delay, always,

always, and in all respects.—This law was enacted at London.

The Xth is, that there be no buying and selling unless before witnesses and in cities, viz. we also forbid that any live cattle be bought or sold, unless in the cities, and that before three faithful witnesses; or that any thing forbidden be sold without security and warrantice; and whoever does otherwise shall pay the value, and afterwards forfeit the things bought.

The XIth is concerning markets and the privileges of cities and towns of note, and runs thus: no market or fair shall be kept, or permitted to be held, unless in the cities of our kingdom, and in boroughs and walled towns, or in castles or safe places, where the customs of our kingdom and the common law, ordained by our predecessors, and the dignity of our crown, cannot be violated. Let all things be done fairly and openly, according to judgment and justice. And since the castles, and boroughs, and cities were built for the defence of the kingdom and its subjects, they ought therefore to be kept free and inviolable.

The XIIth is only a repetition of a charter granted by the Conqueror, to be found in Brompton, and runs as follows: “William, by the grace of God, king of the English, to all whom this writing shall come, greeting: know ye, that I ordain and command it to be observed through the whole English nation, that if an Englishman appeal to a Frenchman by duel of theft, homicide, or any thing for which combat ought to be given between two men, the appellant shall have full liberty of demanding it; and if the Englishman shall refuse the duel, the Frenchman shall be then compelled to purge himself by his witnesses upon oath, according to the law of Normandy. Also, if a Frenchman appeal an Englishman by duel concerning the like things, the Englishman has leave to defend himself by duel, or by judgment of ordeal, if he shall chuse it rather; and if either of them be weak, so that he refuse the duel, or cannot perform it, he shall then find a legal champion; and if the Frenchman be vanquished, he shall pay to the king sixty shillings: but if the Englishman will not defend himself by duel, or purge himself by testimony or oath of twelve men, he shall clear himself by the judgment of God (i. e. by ordeal.)” By this, says Mr. Tyrrel, you may observe, that whereas in Lambard’s copy of these laws, where an Englishman appealed a Frenchman, and would prove it by judgment or duel, it seems as if the Frenchman might have purged himself by oath only, without any ordeal; it appears more plainly by Brompton’s copy, which I here take to be the truer, that the Englishman had the same privilege with the Frenchman; for it follows thus: “The king has ordained, in all matters of outlawry, that an Englishman shall purge himself by judgment (i. e. ordeal); and if an Englishman appeal a Frenchman of outlawry, and will undertake to prove it upon him, the Frenchman shall defend himself by duel; but if the Englishman will not undertake to prove it by duel, the Frenchman shall clear himself by his full oath, and not by mere niceties of words.”

Mr. Tyrrel translates no farther in those laws, though the following are of equal authority.

The XIIIth provides that the laws of Edward the Confessor should be observed, together with the laws of William himself.

The XIVth requires that every freeman should have a pledge or surety, who is to be answerable to bring him to justice, in case he should offend; and to pay for his offence, if he should escape: and those sureties are to purge themselves, that they were not privy to such escape. Let the hundred, or county, as in former times, be summoned; and such as ought to come, but refuse after two summonses, let them lose one ox; after three summonses, if they still neglect to attend, let them lose another ox; and on the fourth neglect, let the party’s goods pay whatever he shall be mulcted in, which is called *cearthgelt*, besides a forfeit to the king.

The XVth is concerning servants and their freedom, and runs as follows: we forbid any one to sell a servant out of his country: but if a master has a mind to give a servant his liberty, let him, in a full county-court (for so the words of the original are to be understood) deliver him over by the right hand to the sheriff (*vicecomiti*), and free him of the yoke of servitude by manumission, and shew him free egress and regress; then give him arms (that is, a halbert and sword), by which means he becomes a freeman.

The XVIth is likewise concerning servants, and enacts that all servants shall be free, after serving for a year and a day, in a royal city or walled town, without reproach, or in camp.

The XVIIth runs thus: we forbid any one to be put to death, or hanged, for any fault; but let their eyes be put out, their feet, or their testicles, or their hands be cut off, so that they may remain living monuments of their treachery and roguery. Let always the punishment be proportioned to the offence. These laws are not to be violated without full satisfaction.

WILLIAM II.

WE have no account of any laws or constitutions passed under this prince; but, from a story of certain English gentlemen being tried by ordeal, we may conclude that he still preserved the appearance of governing by law.

HENRY I.

THE laws of this prince are very numerous, and, for the most part, founded upon those of former English kings, which we have already seen; I shall, therefore, only take notice of the most remarkable, and such as may cast more light upon the constitution of his time.

By the VIIth law of his collection it is enacted, that the general pleas of counties ought to be held in stated places and at stated times; or, according to some copies, before certain judges; and not to be delayed, unless the king’s urgent occasions, or the common profit of the kingdom, should demand it; where the bishops, earls, vice-domini (that is, judges), vicarii (sheriffs), centenarii (hundreders), aldermen, (*præfecti*) magistrates, (*præpositi*) headboroughs, barons, vavafors, tungreves (i. e. officers of towns), and all other landholders, ought to be present, to prevent the evil men’s escaping punishment, and justice being perverted: but the *sciremotes* and *burghmotes* ought to be assembled in the hundred or wapentake twelve times a year.

The VIIIth ordains, that all freemen, as well householders as their followers or dependents, shall meet twice a year at the hundred-court, to see if their tythings be full, or not; or in what manner they increase or decrease: and that there should be over every nine men a tenth, and over the whole hundred one of the better sort called the alderman, who ought to study to promote the common good; because nothing ought to be taken or exacted from any one, unless by right, and by the law of the land, and by the justice and judgment of the court, without deceit; as it is ordained by the prudent consideration of our good predecessors and the nobles of the whole kingdom, and approved of by the general assembly of the servants of God, and of the holy elders and wise men of the whole monarchy.

The Xth discusses the king's prerogative in the following manner: the following are the rights which the king of England alone hath, above all men, in his own kingdom, while the good institution of peace and security is retained, viz. the breach of the king's peace given either by his hand or writ, Dane-gelt, the plea or process concerning the contempt of his writs or precepts; as also concerning his servants killed or injured; also treachery and treason, with all sorts of contempts or disrespectful expressions of him; also the pleas of outlawry and theft, then not punishable by death; murder, falsifying of money, burning houses, ham sacna (i. e. an assault made upon a man in his own house), forestal (lying in wait on the highway), fyredering (i. e. finding of goods), fleminform (perhaps the aiding of outlawed persons), premeditate assault, robbery, strethreck (that is, trespass upon the king's highway), seizing upon the king's land or money, treasure-trove, shipwrecks, maris algarum (that is, of sea-weeds or plants), rapes, trespasses in forests; also the relief of his barons. Whosoever shall fight in the king's house, or whosoever hostia (that is, in the king's host or army), breaks the peace; whosoever shall omit to maintain burgbote, brigbote, and firdfard (i. e. the repairing of castles and bridges, and appearing at a muster); whosoever keeps or maintains an excommunicated or outlawed person; also burgbreach (i. e. he who violates the king's pledge or surety); whosoever shall run away in a land or sea-fight; unjust judgment, defect of justice, and wresting of the king's laws; all herestrets (perhaps the king's highways are here meant); and all gwalstows (i. e. places of public execution), are wholly the king's. Moreover, the king, in his soca, or court, ought to be to all men that are summoned to appear, as well towards all strangers as poor and abject persons, instead of a kinsman and advocate, if they have no other.

The XIIth declares what crimes are capital, and what may be redeemed by payment of a wite (that is, a bare fine or mulct). Some cannot be satisfied at all by money; such are housebreach and bernet (or the burning of houses); notorious theft; eberemorth (that is, downright murder), and illafordswica (betraying of the lord), and breach of the peace, or of the church, or that given by the king's hands. But those that follow may be satisfied by an hundred shillings, viz. girthbreach (that is, simple breach of the peace), stretbreach,

forestal, burghbreach, hamfokne, fleminform; all these may be satisfied by money.

The XIIIth declares what pleas put men in the king's mercy (that is, subject to amerciaments), and are as follow: breach of his peace given by his hand, contempt of his rights, and whatever tends to the contumely or contempt of his person or commands; as also concerning his servants, slain in any city or castle, or anywhere else; and also treachery and treason, making of castles without licence, outlawry, &c. those that do this are in the king's mercy, and forfeit their free lands, if they have any. Then follow thefts and murder, if the party came not within seven days, also counterfeiters of money shall lose their hand, without any redemption. Whosoever shall give unjust judgment, shall pay one hundred and twenty shillings, and shall lose the office of a judge, unless he redeem it of the king. Also the concealment of goods or chattels belonging to the king was to be counted as theft: also violence offered to a virgin, or widow; fighting in the king's house; he that breaks the peace in the king's host, shall lose his life, or compound for it. Also he that fails to perform burgbote, or brigbote, or firdfard, shall forfeit one hundred shillings, which he incurred, unless eleven out of twelve found for him. The rest of the forfeitures are against those who keep or maintain outlawed or excommunicated persons; or whosoever shall forsake his lord, or fellow-soldier, in a land or sea-fight; all of whom shall lose their lives, and the lord shall seize upon their money, and the land which he gave them; but if they have boc-land, that is, free land, it shall fall to the king.

As to the other laws of this prince, I shall not trouble the reader with them at present; first, because I am not quite satisfied with the proofs of their authenticity in the form they have been transmitted to us. Secondly, what is truly curious and valuable in them, may be already seen in the Saxon laws, and those of William I. And, lastly, because they come more properly under the province of a lawyer than an historian.

TAXES in the reign of HENRY I.

For the marriage of his daughter to the emperor, Henry laid the heavy tax of three shillings per hide, which raised, according to Dr. Brady's computation, the value of eight hundred and twenty-four thousand eight hundred and fifty pounds, of the present sterling.

Danegelt, at the rate of one shilling per hide, seems to have been paid all his time; for though, in a sickness, which brought him to the point of death, in 1132, he made a vow to remit it for seven years, it does not appear that this remission took place.

S T E P H E N.

THE executive part of the government while vested in this king, was very turbulent, so that few laws seem to have been enacted, and fewer observed. It must not, however be forgotten, that under him an attempt was made to introduce the civil law into England, but this attempt was soon crushed by his authority*.

* Tempore regis Stephani (as we read it in John of Salisbury's Polycraticon) a regno jussu sunt leges Romanæ quas in Britanniam domus venerabilis patris Theobaldi, Britanniarum

primatis, asciverat; ne quis libero etiam retineret edicto regis prohibitum est. Selden.

The civil wars, which took up most of his time, hindered Stephen from laying any regular taxes upon the people, except in the counties subject to his power, where he raised Danegelt, notwithstanding his oath and the charter granted by him at his coronation, promising to remit it for ever.

HENRY II.

IF Henry II. himself was not the author, he certainly was the immediate inspector and reviser of that excellent system of common law which has come to our hands, with this particular circumstance, that he endeavoured to temper it with the civil law, and for this purpose gave great encouragement to civilians: but, notwithstanding his efforts, and those of his two sons, who laboured in the same way, it was found impracticable entirely to reconcile them. He had much better success in introducing many Normannic customs with the laws of England, which were under him first brought into regular order, by giving countenance to, and publishing, that famous treatise which goes under the name of Glanville, and is entitled "*Tractatus de legibus & consuetudinibus regni Angliæ, tempore Henrici II. compositus, justiciæ gubernacula tenenti illustri viro Ranulpho de Glanvilla, juris regni & antiquarum consuetudinem eo tempore peritissimo: & illas solum leges continet & consuetudines, secundum quas placeatur in curia regis, ad scaccarium, & coram justiciis ubicunque fuerint.*" This treatise is divided into fourteen books; the 1st treating Of Pleas and Essoins in the Court of King's Bench. 2. Trials by Combat and the Grand Assize. 3. Warrants. 4. Advowson of Churches. 5. Naturalization and Freedom. 6. Dowry. 7. Bastardy and Wardship. 8. Fines. 9. Homage, with other services, and Purpresturies or Encroachments. 10. Debts and Contracts. 11. Attorneys. 12. Writs of Right and Prohibition. 13. Recognizances and Disseisins. 14. Pleas of the Crown. In all which we have forms of such writs as were then, and are still mostly, in use on the several occasions there treated of.

Of the other laws and regulations of this great prince, I shall now speak in order as they were enacted.

In the ninth year of his reign, about the feast of Hillary, A. D. 1164, he summoned a great council at Clarendon, in which were enacted the ordinances which go by the name of the Constitutions of Clarendon: these ordinances we have already given in a former part of this work. They were intended to remedy some of the grievances of the times, and to guard against the encroachments which the papal and ecclesiastical powers were daily making upon the civil authority, and were all, in number sixteen, expressly recognized as the rights of the crown by both the archbishops and twelve bishops, who all swore to observe them, in the presence of a great number of the nobility, who signed their names and put their seals to the instrument.

In 1176, the twenty-first year of his reign, on the twenty-fifth of January, he called a great council at Northampton, to consider the laws and statutes of the realm. Here several articles were added to the Constitutions of Clarendon. These related entirely to civil matters, and were comprized under the eighteen following heads.

I. If any one shall be indicted before the justices of our lord the king for murder, theft, or robbery, or for receiving any such malefactors, or of forgery, or malicious burnings, he shall be tried by the oaths of twelve knights of the hundred; and if there be not knights present, then by the oaths of twelve freemen: and, according to the oaths of four men of every town of the hundred, he shall go to the judgment or trial of water (i. e. ordeal.) And if he shall appear guilty, one foot shall be cut off.—Hoveden adds here, that for the better rigour of justice, that he should, besides his foot, have his right hand cut off, and also abjure the realm, and be banished within four days; and if by the water he were found innocent, then to find pledges and sureties, and stay in the kingdom; unless he be accused of murder, or any heinous felony, by the common voice of the country, or report of legal knights of the realm; in that case, though he be acquitted by the trial of water, he shall depart the kingdom within forty days, and carry his chattels along with him (still saving the right of his lords), yet to be at the king's pleasure as to the abjuring the kingdom.—This statute shall take place from the day of the making of the assize at Clarendon, until this present time, and as much longer as the king pleases, in murder, treason, and malicious burning, and in all things aforesaid, except in small thefts and robberies (committed in time of war), as of horses, oxen, and lesser things.

II. It shall not be lawful for any man, in a borough or town, to lodge a stranger above one night in his house, without bringing him to examination, unless he hath a reasonable excuse, which the host is to make known to his neighbours; and, when he goes from his house, he is to do it openly before the neighbours, and in the day-time.

III. If any one be apprehended for murder, theft, robbery, or forgery, and shall confess them, or any other felony he hath committed, before the provost of the hundred or borough, and before lawful men, he shall not deny it afterwards before the justices.

IV. If any frank-tenant die, his heirs shall remain in such seisin as their father had of his fee when he died; and they shall have his goods or chattels, to satisfy the devise or legacies of the deceased; and afterwards they shall repair to the lord, and satisfy him for his relief, and do all other things as they ought concerning their fee.

V. And if the heir be under age, the lord of the fee may receive his homage, and have the wardship of him so long as he ought; and his other lords, if he have any, may also receive homage of him, and he shall yield them what he ought.

VI. The relict of the deceased shall have her dower (which, by the laws of those days, was a third part, if the deceased left issue; but a moiety if he were without children), and that part of the chattels which falls to her.

VII. If the lord of the fee denies the seisin to the heirs of the deceased, which they claim, then the king's justices may order the same, by the inquisition of twelve legal men; and what sort of seisin or possession the deceased had in his life-time, shall, according to the verdict, be restored to his heirs: and if any one shall act contrary to this statute, and be thereof convicted, he shall remain in the king's mercy.

VIII. The

VIII. The king's justices shall cause recognition to be made of all disseisins, from the precise time the king came last into England, after the peace made between him and the king his son.

IX. The justices shall take the oath of fealty to the king, by the close of eight days after Easter, or, at farthest, eight days after Whitsunday, from all earls, barons, knights, free tenants, and also from rustics or husbandmen, who are willing to stay in the kingdom; and he that will not take the oath of fealty, shall be held as the king's enemy.

X. The justices are likewise to have power to command all such as have not done homage and allegiance to the king, to come, at a certain term appointed by them, and perform them as to their liege lord.

XI. The justices shall execute all manner of law and right belonging to the king and his crown, by his writ, or the writ of his lieutenants, or lords justices, concerning half a knight's fee, or under; unless the controversy be so weighty that it cannot be ended without the king; or of such a nature, that the justices ought to report it to him for his satisfaction, or to his lords justices; and they shall, according to the best of their skill and power, do what is for the advantage of the king.

XII. The justices also shall try such thieves and wicked malefactors as may be in those counties they pass through, which trials shall be by the direction of the king, his son, and his liege men, by whose authority they are to make their courts though the counties.

XIII. The justices shall also take care that the castles, which are demolished, be thoroughly ruined; and that such as are to be destroyed, be levelled with the ground: and unless they do this, the king will have them judged in his court, as contemners of his commands.

XIV. The justices shall enquire of escheats of churches, lands, and women, that are in the king's donation.

XV. The king's bailiffs shall answer at the Exchequer, as well for the perquisites as the set rents in their bailiwics, except such as belong to the shire.

XVI. The justices shall enquire about the wards and watches of castles, and from whom, and how much, and where they are due, and shall inform the king thereof.

XVII. A thief, when he is taken, is to be committed to the custody of the sheriff; and if the sheriff be not near, he is to be carried to the next constable of a castle, and he is to keep him until he delivers him to the sheriff.

XVIII. The justices shall cause enquiry to be made, by the custom or law of the land, for such as are fled or gone out of the kingdom; and unless they will return within an appointed time, and stand to right in the king's court, they shall be outlawed, and their names returned into the Ex-

chequer at Easter and Michaelmas, and from thence sent to the king.

At this parliament the kingdom was divided into six parts, or circuits, and three itinerant justices appointed to each. The divisions, and the names of the first justices, we have already given, in the historical part of this king's reign.

This regulation was, in effect the first which reduced the civil plan of policy in England to any certain method of justice to the common people, after the Conquest; and in this respect England owes more to Henry than she did to all the shining advantages he gained*.

Henry, upon his return to England, in the year 1181, provided for the due administration of justice, by appointing Ralph de Glanville chief-justiciary of all England. It was under this celebrated lawyer that the courts of justice began to proceed by forms favourable to the subject, without being inconvenient for the government, and too strong for power itself to break through.

Much about the same time the king published what is called an Assize of Arms, which is so curious and important an article, that I cannot withhold from the reader the pleasure of perusing it in his own language.

ASSIZE OF ARMS.

I. Whosoever hath a knight's fee, shall have a coat of mail, an helmet, a shield, and a lance: and every knight shall have so many coats of mail, helmets, shields, and lances, as he hath knights fees.

II. Every layman that hath in goods, or rents, to the value of sixteen marks, shall have a coat of mail, an helmet, a shield, and a lance.

III. Every free layman that hath in goods ten marks, shall have an iron gorget, an iron cap, and a lance.

IV. All burgeses (that is, inhabitants or freemen of boroughs) and the whole community of freemen, shall have a wambois (that is, a coat quilted with wool, tow, or such other materials), a cap of iron, and a lance.

And no person shall sell, pawn, or lend his armour; nor shall a lord take it from his vassal by forfeiture, gift, security, or under any pretence whatsoever. When the possessor dies, the armour shall descend to his heir: and during a minority, the guardian shall take it in charge; and shall provide a man for service, until his ward is able to serve in person.

Also, all such as are defaulters in any of these articles, shall be punished, not by loss of lands or goods, but in their lives or members.

Also, the justices shall command, in all counties through which they pass, that no man, as he loves himself and all that he hath, do buy or sell any ship to be sent out of England; nor that he carry, or cause to be carried, any timber out of England.

* As differences among subjects increased, so there was a necessity of increasing the number of judges. The resort to the king's court was found extremely inconvenient for the subject: this court, indeed, was not local, but personal, and was held wherever the king or his justiciary resided; hence came the expression of the King's Court at Westminster, Northampton, York, and the like. But it was found more expedient to fix its residence, and likewise to introduce an itinerant capacity of judgment, in which justiciaries might act. These itinerant justices were not, indeed, vested with the power of judging definitively in all cases, that still being reserved to the

king's court; nevertheless, their authority was very extensive; they determined pleas of the crown, and common pleas; they assessed talliages and aids; and admitted the subjects to make conventions, fines, and to places, in their several circuits. As to their persons, they were generally the same with the justices of the king's court-resident, which gave them great credit among the people.

The time of those justices itinerant being appointed, is uncertain; but it appears from the Rolls, that their appointment was before the time of Henry II. for we have the names of justices itinerant so far back as the reign of king Stephen.

And the king commands, that none be received to the oath of arms but a freeman.

These excellent regulations give us an insight into many important particulars of the English military œconomy in those days: above all, we may discover how jealous Henry was of employing the shipping or wood of England in foreign parts; a plain proof this, that, even in his reign, the English were sensible of the prodigious advantages their commodities and situation gave them over their neighbours.

It is truly admirable how Henry could support all his wars, and other occasional expences, without laying so much as one tax upon his people; for the two that were laid upon them in the twelfth and last years of his reign, by the advice of his great council, were not for his use, but for the relief of the Holy Land, a charity customary in those days among the Christians of the West, and to which the king himself contributed great sums. The aid given on account of the marriage of his daughter Maud with Henry, duke of Saxony*, was no more than an ordinary condition of the service of lands, which all tenants were to pay, in virtue of their first grant or investiture, whenever the eldest daughter of a king or a lord was to be married.

It remains now to give some account of the state of the king's court in his reign. The greatest officer of his court was the chief-justiciary, the next was the constable, then came the seneschal, the marshal, the chamberlain, the chancellor, and the treasurer: of these in order.

The office of the justiciary was in the nature of vice-royalty, while the king was beyond the seas; and when at home, he presided in the king's court, during the discussion of all matters, both civil and criminal: and likewise in the Exchequer, being a kind of director or comptroller of the finances. This office was common to other courts, where the feudal law prevailed; but with more extensive powers than they had in England.

The post of constable, another great officer of the king's court, was both civil and military. The particular powers belonging to this office are very obscure, and are best illustrated by a memorial, in a statute made in the thirteenth year of Richard II. wherein it is declared, "that the constable of England ought to have cognizance of contracts touching feats of arms, and of war out of the realm; and also of such things relating to arms or war within the realm, as could not be determined or discussed by the common law; with other usages and customs appertaining to the same matters, which other constables, before that time, had duly and reasonably used." We likewise find that the barons of the Exchequer, in the reign of Edward I. certified, according to order, that the constable ought to have fees and allowances in money, finnels (fine bread), wine, candles, and other things, as are expressed in the said certificate. This office was sometimes hereditary; and we find that, in this reign, Henry de Essex, the constable, held pleas, either in the king's court, or in a circuit; but, perhaps, he held those as being, besides constable, one of the justices.

The office of marshal, which seems now to have been swallowed up in that of constable, was not

an office of that great extent and honour it now is. Several officers of that name were in the nature of superintendants and managers about the king's tables, and were employed about his horses, games, and diversions: but there was, over all, a high-marshal, who was styled *Marescallus Regius*, *Marescallus Angliæ*, and *Comes Marescallus*. The office itself was hereditary, and was sometimes called the *Magistra Marescallia*, or *Magistratus Marescalliæ*; and, according to Mr. Maddox, his office was wont to be executed partly in the king's army in time of war, and partly in his court in time of peace. Here we consider him only as an officer of the king's court: as such, it seems to have been his duty to provide for the security of the king's person in his palace, to distribute the lodgings there, to preserve order in the king's household, and to assist in determining controversies arising there. He performed certain acts, by himself or his substitutes, at the king's coronation, at the marriages and interments of the royal family, at the creating of barons and knights, and at other great and ceremonious assemblies in the king's court. After the division of the king's court, he used to appoint a deputy, or clerk to act for him in the court holden before the king, and another in the Exchequer; the former was called *Marescallus Marescalliæ Curiae Regis*; and the latter, *Marescallus* or *Clericus Marescellæ de Scaccario*.

The office of seneschal was hereditary, and seems to have gone under the different titles of Dapifer, Sewer, Cup-bearer, and Steward or Butler. This office was of Norman or feudal origin; the younger Henry having been hereditary steward to the king of France, as representative of Geoffrey, earl of Anjou. His office was chiefly about the king's person; and he seems to have had the superintendency of the revenues of the household, and a very great trust about the royal person.

The great-chamberlain, or the *Camerarius Regis*, was likewise hereditary, and I take it to be the same with what is otherwise called *Camerarius Angliæ*. Sir William Dugdale says, that, in the Lindsey family, in which that office is now hereditarily vested, he met with an original charter, granted by Henry I. of the office of high-chamberlain to Aberic de Ver, and his heirs, with all the dignities, liberties, and honours thereto belonging, as freely and honourably as Robert Mallet, or any other, had held and enjoyed the same, together with the liveries and lodgings of the king's court, which belonged to the said office of chamberlain. In England, says a great authority†, some of the chamberlains performed some acts of their office in the king's court and household, and other acts at his Exchequer. They took care of the receipts and payments of the king's revenue. In the most ancient times, it seems, they used to act at the Exchequer sometimes in person; in the succeeding times, by their substitutes.

Concerning the office of chancellor we have touched elsewhere; but it may be proper to enlarge upon it here. His judicial capacity, in some cases, lay within the palace itself; sometimes with the chief-justiciary itinerant, and sometimes with the other great officers of state. The plain simple manner of conferring property and fees, during the four first Norman princes, left this to be a post

* See page 263, of this History.

† Mr. Maddox.

of but little business; but when the great baronies came to be divided, when the number of royal charters began to multiply, and the power of the king's justiciary came to be dissipated in other courts, the office of chancellor became of the greatest dignity and pre-eminence, especially as it happened to be borne sometimes by men of great virtue and abilities. Under straitened princes, such as Stephen and John, this office was venal, and during life; as it was under Henry III. who granted it to Ralph, bishop of Chichester, during life, with power to substitute an assignee, who was to act under him; but this assignee was a different person from that of the vice-chancellor, which was as old as this reign, and seems to have acted about the king's person during his absence from England, while the chancellor resided here. Mr. Maddox is of opinion, that the office of vice-chancellor gave rise to that of Custos Sigilli, or keeper of the great-seal.

During the most early times after the Norman Conquest, the offices of treasurer and chief-justiciary seem to have been in one person. Under this reign the office of treasurer is frequently and distinctly mentioned, and often among the barons of the Exchequer. It seems, says Mr. Maddox, to have been the part or duty of the treasurer, in ancient times, to act with the other barons at the Exchequer, in the government of the king's revenue; to examine and control accountants; to direct the entries made in the Great Roll; to attest the writs issued for levying the king's revenue; to supervise the issuing and receiving the king's treasure at the receipt of the Exchequer: and, in a word, to provide for, and take care of, the king's profit.

We have already taken notice, in the body of this work*, that Henry, in the sixteenth year of his reign, appointed certain earls, knights, and clergymen, by commission, to make a circuit all over the kingdom, to see justice duly administered. The tenor of their commission, and the powers they were invested with, being of an unusual nature, has led some of our historians into an erroneous belief, that they were the first itinerant justices ever known in England; we therefore think it necessary to clear up a point, which is of so much importance to our constitution, by giving the reader an account of the nature of baron or county-courts, the connection between them and the king's court, and the original of carrying causes from the former to the latter.

The kings of England were, in their own persons, the fountains of justice; but the multiplicity of business necessarily introduced deputations in judgment. In the more early Norman reigns, while the great feudal baronies subsisted, the matters which came before the king's court were uncommon and important; and therefore the king himself, or his justiciary, sufficed to discuss them. The reason of this unfrequency was as follows: the courts of great barons were so many epitomes of the king's great court. The barons had, as the king, their capital seats where their courts were held, with their stewards, their butlers, their marshals, their chamberlains, and other officers, both of their court and household; some of

which, under the most powerful barons, were hereditary. The lord of the barony consulted those officers (or, if the reader pleases, the peers of his barony) in most of their solemn acts of donation, investiture, and the like; and they had, within their fees, other courts, for the administration of justice to their tenants and vassals. Notwithstanding the great influx of Normannic laws and customs after William I. yet, as the bulk of the nation still remained Anglo-Saxon, there was a necessity of retaining the Anglo-Saxon manner of proceedings in the minute matters of judicature. The convenience of this, prevented any great recourse to the king's court; and the power of the great barons was such, that, for a long time, as I have just hinted, their tenants and vassals seldom ventured to make an application to the king's court. But here it may be observed, with regard to the relation between the king's court and that of his barons, that, although there certainly was a personal dependence of the latter upon the king, and though recognizance of all differences between the peers of the king's court properly lay before the king or his justiciaries; yet, by the original nature of fees, it appears, that in matters of property the baronial court was absolute within itself, and that no regular process or appeal lay between it and the king's court. As to county-courts, almost the same observation may be made, with this difference, that they were not so properly feudal as baronial courts were; the criminal process which came before them being generally, if not always, determined by Anglo-Saxon process. It must be owned, that it is hard to discover by what means causes were originally carried from baronial or county-courts, into that of the king; but it is certain, this practice obtained so high as the first William: but then, this was done by no regular process of appeal; and it should seem, that the kings first saw the necessity and then the profit of it. The great barons were too high for the justice of the lower courts, and it was necessary that an asylum should be opened, to protect the weaker against the stronger: but as power generally expects retribution for protection, and as venality often mixes with justice itself, the Norman princes (for it does not appear that the same custom prevailed in other foreign feudal courts) required all parties, suing to the king's court, to pay fines for their licences to bring it thither. From those fines a considerable revenue accrued to the crown; and hence arises that phrase, so well known in common law, of purchasing a writ, and other emoluments in law-proceedings, plainly arising from this principle.

The frequent absence of our kings, after William I. in Normandy, the abuses which had been introduced into their delegated power, the greatness of the barons, and the variety of the oppressions, together with several variations from the original feudal system, introduced many deviations from that simplicity of judicature known to more early times, when the king and his justiciary, and perhaps some of his principal peers, were sufficient to dispatch all the business that came before his court. But this is to be restricted to causes of ordinary importance, such as points of property between barons; for matters of greater weight, such as political

* See p. 265, 266.

transactions, forfeitures, and the like, required fuller assemblies. A great modern antiquary*, whose authority in such matters is looked upon as decisive, has fallen into a great mistake, in saying, that he thinks there is no notices of any such court as the king's court in England during the Anglo-Saxon times. This mistake is the more surprizing in so learned a man, after the many particular instances, chiefly the famous trial of Godwin, met with in the Anglo-Saxon history. It is true the precise bounds between the civil and criminal capacity of judges was not, perhaps, distinguished in that court; but the reason of this was, strictly speaking, because, at first, in all, and afterwards in most cases, criminal matters were resolved into property, and therefore came to be civil, by the commutations admitted in cases of blood, and other breaches of the peace.

As to the origin and nature of the office of justices itinerant, the reader will find it in a note to page 388 of this history.

Such was the state of the English constitution under Henry II. the most powerful prince who had ever swayed this sceptre. The variations from this I shall mark in the course of this work, in which I shall have an opportunity of pointing out the degrees whereby the constitution received its present model.

RICHARD I.

THE few laws and regulations of this prince were as follow.

Immediately upon the death of his father Henry, and while he was yet in France, Richard sent orders to Eleanor, the queen regent, to begin her administration with an act of general indemnity, by which it was enacted:

I. That all trespassers upon forest-laws should be set at liberty.

II. That all who were outlawed for misdemeanors in forests, should be freed from their forfeits, and have liberty to return home.

III. That all such who were outlawed upon common fame, or accusations, might return, and give security to stand trial; and such as were outlawed upon appeal, if they could make up matters with their adversaries, might be free.

IV. All malefactors who had their lives and limbs given them for their appealing (that is, impeaching) others, were to abjure the realm and depart.

V. All such malefactors who voluntarily appealed others, without a pardon for their lives and loss of limbs, were to be kept in prison till further consideration.

In the year 1190, this king granted a charter in favour of the Jews, by which they were indulged with several privileges in common with his other subjects, particularly the right of suing for, and recovering debts and damages in the king's court; and that they should be free, throughout England and Normandy, of all customs, tolls, and modulation of wine, as fully as the king's own chattels were; commanding his liege men to keep, defend, and protect them; and charging that no man should implead them touching any of the privileges so granted them, under pain of forfeiture.

In the same year he made several maritime regulations, of which we have already spoken in the history of his reign†.

While Richard was at Messina, he made the following edict with regard to shipwrecks, which took place in England after his return hither, and was to the following purpose:

"That, for the good of his own and of his parents souls, every person that suffered shipwreck, and got safe on shore, should enjoy all his goods; but if he died on shipboard, his children, or other nearest relations, were to have the goods, according as they could make out their being next of kin; but if they had no heirs, nor no near relations, then their goods were to escheat (fall) to the king."

In the month of September, 1194, the king sent itinerant justices through all the counties of England, who were to proceed in doing justice according to the underwritten heads or articles.

The Form of Proceeding in the PLEAS of the CROWN.

First, four knights are to be chosen of the whole county, who, upon their oaths, shall chuse two legal knights of every hundred or wapentake; and those two shall chuse, upon their oaths, ten knights in every hundred or wapentake, and if there be not knights enough, lawful and free men, so as those twelve together may answer to all the articles which concern the hundred or wapentake.

ARTICLES of the PLEAS of the CROWN.

The judges itinerant were to hear and determine all pleas of the crown, new and old, which were not determined before the king's justices; and all assizes (by assizes here are meant the ancient writs by which actions were brought, either for right or property, by a writ of right or possession, by a writ of the death of an ancestor, of novel disseisin, by a writ of title, &c.) death of ancestors, novel disseisins, and of great assizes, so far as ten pounds by the year, of land, and downwards; and of advowsons of churches.

The actions of the great assize (or a writ of right by which the property was tried) was brought by the mandate or writ of the king, or his capitial justices.

They were to enquire of vacant and full churches which were in the king's gift, who gave them, and who had them, and what their value: of the king's escheats, their value; who had them, and by whom: of ladies, young gentlemen, and women which were and ought to be in the king's gift (that is, as to marriage); what the value of their lands, and whether they were married; to whom, by whom, and how long.

They were also to enquire what widows had not fined, or compounded, for licence to marry themselves, and the fine to be taken to the king's use: of the king's serjeanties (lands held by men in all counties, for some particular services performed to the king); who hath them, and from whom, and their value: and who of them contributed toward an aid to the king, or who not; and let the fine or composition for the aid be taken to the king's use: of the usury of Christians, and of their goods, and what usurers (the king had the goods

* Mr. Maddox.

† See note * to p. 298.

of usurers after their death) were dead; of those that were in the king's mercy, and were not amerced or fined: of purprestures (encroachments upon the king's lands, his highways, diverting or stopping water-courses, encroaching upon streets in cities and boroughs, &c.) or the king's way straitened: of treasure found: of malefactors and their receivers: of fugitives, who had been accused, and were returned since the last assize: of all weights and measures, and ells renewed; and if four men, that were appointed to look after them in every town (that is, city, borough, or market-town) had done as the statute required, and had attached or prosecuted the transgressors; if not, they were to be punished as the transgressors.

All his wine that was sold contrary to the assize or statute, was to be seized to the king's use, and the owners and sellers of the wine were to be in the king's mercy, that is, to be punished by him.

They were to enquire how many hides and plough-lands there were in every county; and whether the officers, appointed to assess and collect the five shillings upon every plough-land, had done their duty, and had received all of it, or concealed any: of the officers of sea-ports, if they had received any thing they had not given an account of, or taken any thing for concealing the king's right; or if any one had received any thing, who was not appointed a receiver.

They were to enquire if all came as they ought, that were summoned by the king's justices; and what they were that came not, and what their names.

Before this iter, or these circuits of the justices were over, the iter or circuit of the forests began.

The king commanded Hugh Neville, chief-justice of all the forests in England, Hugh Wac, and Ernus Neville, that in every county through which they went, they should summon to appear before them, at the pleas of the forest, the archbishops, bishops, earls, barons, and all free tenants, and the reeve and four men of every town, to hear the king's commands.

This is the ASSIZE of the Lord the King, and these are the Precepts, concerning his FORESTS in England, made by the Assent and Advice of of the Archbishops, Bishops, Earls, Barons, and Knights of the whole Kingdom.

The king declares, that if any one forfeits to him concerning his venison, or his forests, in any thing, he is not to trust to this, that he shall only be punished in his goods, as hitherto; for if, after that time, any one forfeits, and was convicted, he should have full justice done him, as it was in king Henry his grand-father's time; that is, he should lose his eyes and testicles.

Also the king forbids that any one have bows and arrows, or hounds, or greyhounds, within his forests, unless he had the king's warrant, or the warrant of any other that was of right able to protect him.

Also the king forbids, that no man give or sell any thing to the destruction of his wood, nor do waste in his forests; but he grants, that any man may take of his own wood as much as he shall have need of, without waste; and this by the overseeing of his foresters and verdurers.

Also the king commands, that they who have woods within the bounds of the forest, do set good workmen (forestarios must be so translated here; and the word will bear it, for foresta, in a strict sense, signifies silva, saltus, &c.) to look after them, and such as they will be answerable for, or such as can give security to make satisfaction if they offend in any thing that belongs to the king.

Also he commands, that his forester take care of the woodmen of knights, or others, that have woods within the bounds of the king's forests, that they do not destroy the woods; for if their woods were destroyed, he let them know whose woods they were, he would take satisfaction of their lands, and not from any other person.

Also the king commands, that his foresters shall swear, that, according to their whole power, they shall keep his assize or law, which he hath concerning his forests; and that they shall not vex or trouble the knights, or worthy men, about what he granted them concerning their woods.

Also he commands them, that in every county wherein he hath venison, there shall be twelve men appointed to preserve his venison, and greenhue (viride; that is, the green wood and herbage of the forest) in his forests.

And that there shall be four knights appointed to agist his woods (that is, take in a certain number of cattle to feed therein a certain time, or to assign the number of cattle to such as had right to feed in the forest), and to receive his pashage or pashage (that is, the money due for such feeding), and to preserve it, that it should not be diminished.

Also he commanded, that no man might agist his woods (that is, put their cattle into them) within the bounds of his forest, before his own woods were agisted.

And it is to be noted, that the king's agistment (or right of feeding cattle in the woods or forests) begins fifteen days before Michaelmas, and continues fifteen days after.

[Here must be some mistake, but how well to rectify it I know not.]

Also the king commands, that if his woods, that were in his own hands, or in demesne, were destroyed, and the forester could not tell how, his body should be imprisoned.

Also he commanded, that no clerk should offend concerning his venison or forests; and that if his foresters found them offending, they should take them, and he would warrant them therein.

Also the king commanded, that all assarts, as well old as new (these were places where underwood and bushes had been stubbed up, and the land ploughed and sown), which were within regard or view of the forest, should be viewed once in three years: and, in like manner, all purprestures and wastes in woods; and that every one should be enrolled by itself.

Also the king commanded, that the archbishops, bishops, earls, barons, and knights, and free tenants, and all men of his lands, should come to the pleas of the forests, at the summons of his master-forester. It was also forbidden, at the pleas of the forest, that no cart or waggon should go out of the way in the forest; nor hogs be in the forest at the time of foineson (fannatio, the time when the does fawn; foineson, or faoneson, from the French faone, a fawn); that is to say, fifteen days before St. John Baptist, and fifteen days after.

And

And it is to be noted, that he who takes venison in the king's forests, and shall be thereof attainted, shall be in the king's mercy, as to the losing of his eyes and testicles.

And he that offended in the king's forest in the greenhue, or vert, by chopping down trees, or lopping off the branches, by digging turfs, or flaying (that is, taking the greensward of the ground), by cutting away part of the thickets, by assarts or new purprestures, by hedges or ditches, by erecting mills, making new water-courses, erecting sheep-cotes, or lodges, or other houses, by mowing hay beyond the hedges and ditches, shall be in the king's mercy for his goods, unless he hath the king's verdurers or foresters to warrant him.

In like manner, he that carries bows and arrows, or dogs uncoupled, through the king's forests, and was thereof attainted, was in the king's mercy.

It was also decreed, that once in three years there should be a view of the forest: and in the regard or view of the forest these things were to be observed: what old or new assarts were sown since the last review, and with what grain. The new assarts were to be taken into the king's hand.

If the old assarts were sown with wheat or rye, every acre was to yield to the king twelve pence for that crop; and every acre that was sown with oats, barley, beans, or peas, was to yield to the king six pence for that crop.

TAXES in the reign of RICHARD I.

In the fourth year of his reign he issued an edict concerning those who practised tilts or tournaments, a diversion then greatly in vogue with the gay and active part of mankind, notwithstanding the prohibition of the church, which was very rigorous against them. By this ordinance, "an earl, for licence of tilting, was to pay twenty marks of silver; barons, ten marks; every knight that had lands, four marks; every knight that had no lands, two marks: and it was commanded by the king, that no knight should be admitted into the place of tilting, unless he first paid down his money."

The collector of this tax was one Walter, brother to Hubert the justiciary.

Besides the scutage levied to pay his ransom, there was one of ten shillings for every knight's fee, for a Welsh expedition: and three others, paid for the wars in Normandy, at the rate of twenty shillings a knight's fee, as appears from the Pipe Rolls. There were two talliages: one of two shillings an hide-land, in the fifth year of this king; the other, in the ninth, first assessed at the same rate, but afterwards enhanced by the charge of three shillings per hide more: probably on occasion of Richard's Welsh expedition, and his getting his nephew Otho chosen emperor.

J O H N.

IN the fourteenth year of this king's reign, a writ was directed to the bailiffs of the sea-ports, for preparing ships to serve against the common enemy: as, in the famous dispute concerning ship-money, we shall have occasion to refer to the more early methods of arming the nation by sea, I shall give the reader a translation of this writ.

"The King to the Bailiffs of the Sea-ports in the County of Essex, &c.

"We command you, that, as you love us and our honour, that you will cause to repair to Portsmouth all the ships in your bailiwick, which can carry eight or more horses; so that, all excuses or delays being laid aside, they may be there on the day after the feast of St. Hillary next, in case they cannot come sooner, ready and prepared for our service: and if any of the said ships should be laden, let it be instantly unladen, that it may come there, together with the others, at the appointed place and day; because we shall order their livery to be paid them from the day on which they sail from their own port to the foresaid place, unless by their own laziness they spin out the time.

"You are likewise to provide the said ships with bridges and irons, in the best manner you can; and, when they arrive at the said port, we will pay to them the money laid out for that service.

"As for your parts, you are to be at Portsmouth by the said day, that you may report to us the number of the said ships, both of the ships that come and of those who do not; and this you are to do together with the sheriff of Essex, to whom we have issued the same orders."

The next ordinance we find of this king is in Matthew Paris, under the year 1202, when he caused to be proclaimed a legal assize of bread, to be inviolably observed under pain of pillory, as it was to be tried and proved by the baker of Geoffrey Fitz Peter, justiciary of England, and the baker of R. de Turnham. It was to be so made, as that the baker might gain in every quarter three pence, besides the bran and two loaves at the oven; with some small allowances for servants, salt, yeast, fuel, and other necessaries for making it up, amounting in all to about seven pence. And according to this following gain and allowance, when wheat was at six shillings the quarter, a farthing white loaf, well baked, was to weigh sixteen shillings; and a farthing loaf of the whole grain (that is, bran and all, as it came from the mill) was to weigh twenty-four shillings: when wheat was at eighteen pence the quarter, then a farthing white loaf was to weigh sixty-four shillings; and a farthing loaf of the whole grist as it came from the mill, was to weigh ninety-six shillings. This is the highest and lowest price of wheat mentioned in this historian; and the intermediate price of wheat, and the assize, did rise and fall, according as the price of wheat did, after the rate of six pence in every quarter: and this assize was proclaimed through the whole kingdom.

TAXES in the reign of king JOHN.

Soon after his first coronation, which was on the twenty-seventh of May, 1199, he had a scutage of two marks on every knight's fee. In the year 1200, he had of every plough-land in England three shillings. In the year 1201, he had two marks of every knight's fee, for scutage-service, of such as had his licence to stay at home, upon summons to pass beyond sea with him. In the year 1203, he took a seventh part of all the earls' and barons' goods that left him in Normandy. In the year 1204, in a parliament at Oxford, there were granted to him a scutage-tax of two marks and a half on every knight's fee. In the year

1205, he levied of the earls and barons that would not follow him beyond sea with their service, a vast sum of money. In the year 1207, he took a thirteenth part of all the moveables and other effects, as well of laymen as of ecclesiastics and prelates, all murmuring but none dared to contradict it. In the year 1210, he forced from the abbots, priors, abbeesses, Templars, Hospitallers, &c. one hundred thousand pounds; and from the White

Monks, or Cistercians, forty thousand pounds. In the year 1211, he had two marks scutage-service of every knight's fee which furnished not out its service to the expedition against the Welsh. In the year 1214, he took of every knight's fee, of those that were not with him in Poitou, as well of the bishoprics that were in his hands, as of wards and escheats, three marks.

Of the PUBLIC REVENUES, &c.

IN our history of the reign of William I. we have given the reader a summary account of the revenues of England in his time; we shall be here somewhat more explicit.

The revenue itself arose from three great branches, which admitted of many subdivisions, which I shall now explain.

The first branch consisted of the produce of the soil: this may be properly termed the natural branch of the revenue, others being accidental. Before the time of William I. it was called Hidage, because arising from a tax laid upon every hide of land, which, as I have elsewhere observed, contained one hundred acres, more or less.

The next branch of his income was of Norman origin, and purely accidental, consisting of those fines and emoluments which arose in consequence of the new feudal system, introduced by William, and were not known in England before his time. Under this head are comprehended reliefs for succession to hereditary fees; assignation of dower out of the estate of the husband; compositions for licence to marry; for the wardships of heirs; and entrance upon farms. To this branch likewise belonged the extra-feodal emoluments arising from fines for offences and malversations; as likewise fines of all kinds, and the perquisites falling to the crown from controversies about feudal tenures; and for liberty to serve and take out writs from the king's court, of which there are evident traces in our law, as it now stands. Under this denomination we may also rank tolls and customs for the immunities and privileges of markets.

The last branch of the revenue at this time was likewise Normannic. This arose from the crownlands: of these William had no fewer than one thousand four hundred and twenty-two manors or lordships, in several counties, besides the straggling possessions he had in different parts of the kingdom, and not comprehended under the designation of

manors. The nature of the new feudal law occasioned a great fluctuation in the value of this branch of the revenue; for as the property of the crownlands depended in value upon the lands which, either by deaths, forfeitures, failure of heirs, or from other causes, were escheated to the crown, these in the days of William rose to a prodigious value.

Under this head are comprehended not only the reservations, either in money or kind, which were made by the king, but all the great sergeancies, which are certain services of a civil as well as military nature, paid by the possessors of lands granted by the crown. To these we may add reservation of entertainments and provisions, to which certain landholders were obligated. Some authors have under this head of revenues, ranked the customs of merchandizes, and the tolls paid for the liberty of foreign commerce and free navigation; but these appear to class more properly under the second branch.

Another branch of the revenue was the exorbitant impositions laid upon the Jews, under the reign of William and his successors, particularly under Henry II.

Besides these, William and his successors kept ecclesiastical preferments vacant, and enjoyed the temporalities.

These were the ordinary branches of the revenues of our ancient kings. The curious reader may satisfy himself more particularly upon this head by consulting Maddox's History of the Exchequer, where he will find this matter treated more at large than the limits we have prescribed ourselves in this History will permit us to do.

Of the additional aids granted from the accession of William to the end of John's reign, we have already given an account, under the head of Taxes, after the civil regulations of each particular sovereign.

Of COMMERCE, ARTS, and SCIENCES, in the XIth and XIIth Centuries.

THE continual rebellions and civil wars which desolated the kingdom during the reigns of William I. and some of his successors during this period, together with the contentions for prerogative between the crown and the prelates, banished arts and commerce, which were at a low ebb before and long after the Conquest, to happier regions. Smollett, indeed, affirms that, soon after the accession of Henry II. "the kingdom assumed a new face, and agriculture and manufacture returned with security." But, after the strictest researches, I have not been able to trace the least shadow of any other art but that of husbandry, which natu-

rally prevailed whenever the nation was at peace; and as to manufactures, I doubt we had scarce any at this period. The Flemings and Italians, it is well known, were in possession of the two most important branches: Flanders was the grand market of all Europe for woollen manufactures, and Italy for silk, long after this period; and it is most probable, that with the habits, manners, customs, and language of the Normans, we likewise imported their manufactures; for England was too much engaged in civil wars, and the subjects were so often called off from the arts of peace by their lords, to whom they owed military service, that no art seems to have flourished

flourished but the military, of building castles and fortifying towns, which was the rage of this period, every person of rank having a strong hold to retire to.

Two remarkable circumstances, however, distinguish the time of Henry II. the introduction of coaches into England from France, but not the art of constructing them; and the invention of bills of exchange, a grand article of commerce, first practised by the Jews at this period, who, being driven from state to state, as avarice or enthusiasm prevailed, found out this means of secreting their riches, and of transporting them with ease from one country to another, as soon as they found the impositions of any prince, under whom they lived, too heavy to bear; and it was the vice of the time to oppress these miserable wanderers, and to seize their persons and effects on the most frivolous pretexts.

The review we have just taken of the public revenues of the kingdom will farther convince us, that neither arts nor commerce were in any degree of reputation during this long period; for they arose from fines and taxes, laid chiefly on the lands, and there is not the least mention of any impost on any article of manufacture or commerce.

Learning was in as little repute as the commercial arts during this period; the rage of carrying

fire and sword into the Holy Land, and the turbulent state of ecclesiastical affairs disturbed the repose of the students of this age, so that we neither meet with men eminent for their learning, works worthy of attention, nor discoveries or improvements in any art or science worthy of record; and this may be attributed likewise to the dissolute and debauched manners of the age.

The Normans, flushed with victory, fought only how to pass away their time in mirth and rustic festivity, and employed almost their whole leisure in hunting, feasting, and women; and their excessive licentiousness in this respect is not to be wondered at, when the very laws tended to promote incontinency, for every violation of chastity had its fixed price, which was not beyond the reach of a substantial yeoman. The debauched lives of the clergy, who indulged themselves not only with wives, but also cohabited publicly with concubines, tended farther to debauch the age. Sometimes the archbishops, at others the sovereigns, endeavoured to reform the clergy, but without effect, while superstition blinded the eyes of the people, and taught them to believe, that what was a crime in a layman was a virtue in her priests.

MANNERS and CUSTOMS in the XIth and XIIth Centuries.

THE manners and customs during this period were rude and uncivilized, adapted to days of ignorance and superstition; when it was believed that the God of heaven decided the justice of a cause in favour of the innocent party, by permitting him to slay his adversary in single combat; and hot bars of iron were supposed to cool in an instant, at the approach of chaste feet. Future periods will present us more pleasing scenes, in which we shall know and acknowledge our happy island, by the rapid progress of every social art tending to civilize and improve its natives. But I cannot take leave of this article without taking notice of the character of the English in the beginning of the twelfth century, under William Rufus, as we find it in two authors, Ordericus Vitalis, and William of Malmesbury, who lived nearest those times. "The men (say they) wore their hair curled delicately, and nicely combed out. Their coats strait upon the body, but flared down the sides, and their sleeves wide. Their shoes ran to a long point, and turned up at the ends. Their air loose, their steps minced, their bodies effeminate, their manners affected, loose, and inclinable to debauchery."

Brompton tells us, that at the latter end of the same century, Henry II. brought into England the Anjouin fashion of wearing short cloaks or mantles; for which reason he is sometimes called Court Mantle, i. e. Short Mantle.

Tilts and tournaments were greatly in vogue in England during the eleventh and twelfth centuries, and continued to be so as low as the reign

of Edward III. notwithstanding that the see of Rome frequently issued prohibitory and comminatory edicts against them. The ingenious M. de Voltaire tells us*, that these warlike games first took their rise in Italy, in the fifth century, under the reign of Theodoric, who suppressed the gladiators, or prize-fighters. Towards the end of the eleventh century they were in such high request that one Geoffrey de Preculli, a knight of Touraine, compiled certain laws to be observed in the celebration of these games.

The name Tournament is by some said to be taken from the city of Tours; but it is more probable that it was derived from the blunt sword, or sword with a reverted point, called in Law-Latin, *Ens Torneaticus*; it not being permitted to use any sharp weapons in those diversions but the lance.

The ancient tournaments first gave rise to armorial bearings, about the beginning of the twelfth century; and every thing of that kind supposed to have existed before that time, is evidently fictitious. Every knight who presented himself at the lists, with his beaver or helmet closed for combat, had some arbitrary figures, as symbols, painted on his shield or coat of arms: hence came the Knights of the Eagle, the Lion, the Griffin, &c. names so famous in the old romances. The terms of blazonry, which at present seem such an absurd and barbarous jargon, were then words in common use: flame-colour was called *gules*; blue, *sinople* or *azure*: a stake was called a *pale*; and a band or belt, *fess*, *fascia*.

* Additions to General History, part i.

HISTORY OF ENGLAND.

FROM

The Accession of King HENRY III. to the Death of King EDWARD II.

PART VI.

HENRY III. surnamed Of WINCHESTER*. A.D. 1216.

JOH^N, at his death, left the succession to his eldest son, Henry, an infant of only nine years old, consequently unable, from his tender age, either to judge for himself, or to manage the reins of government, unless by the direction of others. Happily for this young prince, the army was commanded by, and at the devotion of, William Mareschall, earl of Pembroke, and earl-marshal of England. This nobleman, one of the most worthy subjects this country could ever boast, knowing the distracted state of the kingdom, seized the helm of government, and managed it with such an equal proportion of virtues and abilities, that at length he weathered the tempest, and brought the national vessel safely into port. The first steps he took towards this desirable end, was to endeavour to restore a mutual confidence between the throne and the great barons. This was, indeed, an essential point; for, notwithstanding that Lewis was already in possession of the metropolis and the better half of the realm, and was, moreover, supported by all the power of France, yet, such had been the folly and imprudence of his own conduct, that the affections of the nobles were in a great measure alienated from him, and they remained attached to his party more through fear than regard, and not knowing whether they could hope for any tolerable terms from the throne and its friends.

The marshal, well apprized of this disposition in the barons, and being himself equally zealous for the hereditary rights of blood, which the demerits of a parent or a predecessor cannot in justice inva-

lidate, as for the support of public liberty invaded by tyrannic power, called a council of the barons at Gloucester, whither all repaired who were in the interest of the royal family. The assembly being seated, the marshal entered in the midst of them, leading young Henry in his hand, whom he presented to them, saying, "Behold your king!" This sudden address occasioned a pause; but the earl went on with this memorable speech, which we have handed down to us by our old English annalist, Hemingford, and of which I shall, without farther apology, give a literal translation.

"My dear friends, though we opposed, with justice, the father of this young prince, on account of his wicked and mistaken conduct; yet are we to consider, that this little child is entirely guiltless of his father's evil works: and as offence and guilt ought only to be punished in those who are the authors; and as God himself, in holy writ, hath taught us, that the son should not bear the iniquity of his father; therefore it is incumbent upon us to lay aside all animosity against this guiltless infant, and to compassionate his tender years: and seeing that he is the son of our late king, and undoubted heir to the crown, let us now join together to support him king over us; and let us drive out of our land Lewis, son to the king of France, and all his followers. Thus shall we at once save our country from being the reproach of its neighbours, and break the yoke of an unjust and foreign servitude."

This speech, which carried with it conviction into the hearts of all the hearers, had the desired

* From the place of his birth.



LIBRARY

OF THE



HENRY III.

effect. The earl of Chester*, indeed, started an objection, in relation to their having called over Lewis; but this was presently over-ruled by recapitulating that prince's conduct since his coming over; and it was generally agreed, that his arbitrary and tyrannical behaviour had dissolved all ties that might otherwise have bound those who had invited him to their assistance, and the assembly with one voice called out, "Let Henry be made king! let him be made king †!"

The coronation was accordingly solemnized at Gloucester, on the eve of St. Simon and St. Jude (October 28, 1216), in the presence of Gualo, the pope's legate; Henry, archbishop of Dublin; Peter, bishop of Winchester; Jocelin, bishop of Bath; Silvester, bishop of Worcester; Ralph, earl of Chester; William Mareschall, earl of Pembroke; William de Ferrers, earl of Derby; John Mareschall, and others, together with the abbots and priors; the archbishop of Canterbury being then at Rome, soliciting a release of his suspension.

Before the crown was set on his head ‡, Henry took the accustomed oath: then the legate, who had ever the interest of the papal see in view, caused the young prince to renew the subjection of his kingdom to the pope, and to promise the regular payment of the annual stipend of one thousand marks. The barons, notwithstanding the dislike they had shewn to the inglorious submission of John in the first instance, were nevertheless sensible that the pope's assistance and countenance would be greatly necessary to the young king in the present situation of his affairs, and therefore did not think proper to oppose the renewal of homage to the papal chair. Henry was then anointed, and crowned by the bishops of Winchester and Bath, the legate only presiding at this ceremony, without having performed it in person. The prelates, earls, barons, and all those who were present, next swore fealty and allegiance to the new king; and the following day they came to a resolution to appoint the earl of Pembroke the king's guardian and regent of the realm, with the title of Rector regis & Regni; than whom no one was more eminently qualified to fill that important post, as well on account of his inviolable attachment and fidelity to the royal family, the particular affection he bore the young prince, and his own military skill and dignity.

The first step of the new regent was to send circular letters, notifying Henry's coronation, to all the barons and communities of the kingdom, and promising a general amnesty to all those who should return to their obedience, and peaceably acknowledge Henry III. for their lawful sovereign ||. This assurance, and the known probity of the regent, had a wonderful effect upon many of the barons in the association, who now began to consider that opposition would lose its name in unnatural rebellion, and entertained serious thoughts of making

their peace with their lawful sovereign. In this disposition they were not a little strengthened by the sentence of excommunication which, by the legate's express orders, was every Sunday thundered forth from the pulpits of every church in the kingdom, against Lewis and themselves; and however, in the first transports of their resentment, they might have affected to despise the ecclesiastical comminations, many of them, in their cooler moments of reflection, heartily wished to be re-admitted into the bosom of the church.

All this time Lewis, in consequence of the rash vow he had made, not to abandon the siege of Dover till he had made himself master of the place, was still employed in that undertaking, which, to the immortal honour of Hubert de Burgh, who commanded there, was rendered fruitless. No means had been left untried by the French prince to corrupt this gallant officer's fidelity: thinking that John's death would work some change in his sentiments, he tempted him with whatever ambition could wish for in a subject; but the governor rejected all his offers, and declared, that he and his garrison would fight to the extinction of the last man, in the defence of the young king. Upon this, Lewis, in despair, abandoned the siege, and set forwards on his march for London. Having secured his interest there, he made some trifling conquests in the neighbouring counties; but finding himself and his French followers were now become the contempt and hatred of the nation, he was glad to make a truce during the Christmas holidays.

The regent failed not to make the best advantage of this respite from hostilities, to support the pretensions of his royal pupil. His first, and indeed most necessary, precaution in the present juncture, was to send speedy notice to the pope of the death of John, and the coronation of his son, soliciting the protection of his holiness in favour of the minor king, whom he represented as encompassed with foreign and domestic enemies, and whose fall must inevitably bring with it the annihilation of great part of the papal authority in this kingdom.

Innocent, who had nothing so much at heart as the aggrandizement of St. Peter's chair, and the extent of its patrimony, received the regent's deputies with the greatest cordiality and respect, and delayed not an instant to take the necessary steps for supporting Henry. With this view he sent letters to his legate, with orders to renew the excommunication against Lewis and his confederates; and at the same time wrote to old Philip, that, unless he recalled his son out of England, he would put his kingdom under an interdict.

The legate no sooner received the pope's mandate, than he convoked a synod at Bristol, where he repeated the sentence against Lewis and all his adherents. Many of the barons made this cen-

* Hemingford says it was the earl of Gloucester, but that earldom was then in the crown. Tyrrel.

† Fiat rex! fiat rex! Hemingford.

‡ John's crown having been lost in the washes, a simple fillet of gold was used on this occasion.

|| There is a letter still extant, to Hubert de Lacy, a baron of great note, who had been sent into exile by John. The earl of Pembroke's name alone is affixed to the letter, which is dated November 18, in the first year of his reign, and was as follows:

The King, to Hugh de Lacy, wisheth health.

"We require you, that you forthwith come in all safety to pay us homage and service; and we give you safe-conduct to come and commune with us, and to return in safety. And we will you to know, that if you do come to us, we will fully restore to you your rights and liberties, by the counsel of our well-beloved Ralph, earl of Chester, William, earl of Ferrers, and other our faithful counsellors. For, notwithstanding our father John, of happy memory, was in some respect wanting towards you; yet ought not we to be charged with his failures, neither ought they in any respect to be imputed to us."

ture a pretext to abandon the cause of the French prince, and refused to renew the homage they had sworn to him at his first arrival in England. Among others who came over to the king at this time were William Longsword, earl of Salisbury, with the earls of Arundel and Warren.

The truce being now expired, Lewis held a general assembly at Oxford; and the regent, on his part, called a council of his friends at Cambridge. Here a proposal was made to prolong the truce; which Lewis at first refused, but hearing that the pope intended to excommunicate him in full consistory, he consented to suspend hostilities till a month after Easter. In the mean time Lewis, finding that he daily lost ground in the affection of the English, and being peremptorily commanded by his father to come over to France, he accordingly set out for that kingdom, about the middle of January, 1217, intending to make a short tour to Paris, as well to avert the thunder of the Vatican, as to procure a supply of men and money.

His absence furnished the regent with a favourable opportunity of making fresh levies, and using his interest and endeavours to bring over the most considerable of the barons to the royal cause; and so effectually did this worthy subject labour in his reconciliatory plan, that, besides the earls of Salisbury, Arundel, and Warren, already mentioned, he had the pleasure to see Hugh de Lacy, and William, the young earl Mareschall, his own son, who till then had been one of the most zealous partisans of France, return to their allegiance, and ever after remain faithful to their duty. In a word, the number of those who quitted Lewis's party during the truce, was so great, that the loss was not made good by all the supplies he could muster in France to reinforce his army.

The Cinque Ports likewise declared in favour of Henry, and fitted out a squadron of ships, with which they way-laid and attacked Lewis in his return; but, after a smart skirmish, he got safe, with the loss of a few ships only, to Sandwich. This instance of disaffection, however, incensed him so highly, that, in revenge, he burnt the town of Sandwich, as being one of the Cinque Ports: and having made another unsuccessful attempt on Dover castle, marched to London with his troops, and prepared for renewing the war as soon as the truce should expire.

The first considerable act of hostility was began by the regent, who detached a body of forces, under the earls of Lincoln and Albemarle, to lay siege to the fort of Mount-Sorrel, in Leicestershire, which lay in the midst of a county devoted to Henry, and incommoded all the neighbourhood.

This place belonged to Saher de Quincy, earl of Winchester, as part of his honour of Leicester, who had entrusted the command of it to one Henry de Braybrock. The governor finding himself hard pressed by the royal troops, sent to his lord for succours: upon this the earl applying to Lewis for a reinforcement, the latter sent him an army consisting of six hundred knights and above twenty thousand armed men, under the command of the count of Perche, marshal of France, a young man of great courage, whom he had brought over with him at his return from his late tour.

The count began his march from London on the first of May, the French troops plundering all the churches and monasteries, and committing the most

barbarous devastations in the adjacent country, wherever they passed. Upon their approach the English, who were too weak to venture a battle, abandoned the siege, and retired hastily to Nottingham.

Flushed with success, and confident in the superiority of his numbers, the count resolved to reduce the castle of Lincoln, which had been invested some time before by Gilbert de Gand, who had been created earl of the county by Lewis, and had made himself master of the city. Advancing therefore by forced marches, the count came in sight of the town, when he was presently joined by the besiegers, and then, with their united forces, they gave a fierce assault to the castle, which was, however, defended with unparalleled bravery by a noble lady, named Nichola, widow of Gerard de Camville, and daughter of Richard de la Haye, who had the government of it by hereditary right.

The city of Lincoln was a place of too great importance for the regent to suffer it to pass into the hands of the common enemy without some efforts to preserve it. Accordingly he issued a summons for all the king's tenants to repair to Newark, in Nottinghamshire, where also the rest of the royal forces were to rendezvous, in Whitsun-week. This summons was joyfully complied with, the excessive barbarities committed by the French having now filled all England with horror; and even the citizens of London, though still in the interest of Lewis, probably on account of some particular advantages of trade, which we find (by Mr. Rymer) they enjoyed about this time with the dominions of Philip and Lewis, could not resist the force of this melancholy conviction: in a word, the nation in general began to believe the truth of what the viscount of Melun had revealed on his death-bed, and to consider themselves as victims devoted to destruction. These sentiments were more than armed hosts in favour of the regent and the loyalists: accordingly, when the appointed day came, he found himself at the head of a noble and resolute army, full of spirits, and inflamed with desire to be revenged on the excommunicated French.

In order to keep this ardour alive, the pope's legate excommunicated Lewis by name, together with all those who adhered to him; and at the same time declared, that all who would embark in the defence of Henry and the royal cause, should have the same privileges with those who undertook a crusade: in consequence of this, he himself assumed the cross; and the bishops, as barons, drew the temporal sword. This zeal of the churchmen was of no little service on this occasion in supporting and increasing the alacrity of the common men; and the notion of fighting in the cause of religion, immediately under the eye of, and as it were in fellowship with, her ministers, inspired them with a kind of enthusiastic ardour, which seldom fails of success.

Such was the expedition used by the regent in his march, that he was advanced almost in sight of the enemy before they had notice of his approach. They had all along hoped to take the castle before an army could be assembled strong enough to oppose them. Surprized to find the regent so close to them, the French general called a council of war, in which, after much debate, arising from a difference in opinions, it was resolved to make one decisive assault upon the castle, which was by this time

time reduced to the utmost distress; and to keep upon the defensive against the king's forces. But Fulk de Briant, a noted partisan, having entered at a postern-gate into the castle, at the head of a chosen body of archers, pursuant to measures which had been concerted between him and the regent, he made several sallies to amuse the besiegers, while the king's forces, giving a vigorous attack to one of the gates of the city, carried it by storm, and entered the town sword in hand. The rebels made an obstinate resistance, but the regent continuing to pour in fresh forces through this avenue, the former were put to a total rout; the earls of Winchester and Hereford, Gilbert de Gant, and Robert Fitz Walter being taken prisoners, together with near four hundred knights, and a proportionable number of esquires and common men.

As for the count of Perche, he was killed in the streets, having refused quarter, though offered several times, and most of the French troops fell with him. A prodigious booty was found in the city, with which the royalists enriched themselves, agreeable to the rules of war when a place is taken by storm.

This victory was followed by the reduction of Mount-Sorrel, which was instantly levelled with the ground: and the whole country now submitting, the regent having no longer any thing to fear in the North, he resolved to march southwards, and attempt the reduction of the metropolis of the kingdom, which yet held out for Lewis and his party.

Lewis, who had again returned to his Quixote attempts upon Dover, was struck with inexpressible consternation when he received the news of the defeat of the count of Perche; and was, moreover, informed that the regent's army was daily increasing by the resort of the loyal English, and that he was in full march towards London. He instantly abandons the siege of Dover, and marches with precipitation to secure the capital: on his route he made an attempt upon Windsor castle, but without success; then continuing his march to London, he there met with the wretched remains of his countrymen who had escaped the fatal catastrophe in the North. With these and the troops he had with him he shut himself up in the city, and from thence dispatched courier after courier to press his father and his wife for immediate relief and assistance.

The crafty old king, fearful of breaking with the pope, pretended that he would not interpose any more in his son's concerns: he publicly sent him word, that he must extricate himself as well as he could. Willing, however, to bring him off with as much credit as possible, he permitted his daughter-in-law Blanch, the wife of Lewis, to raise a body of troops in her own name, and to hire ships to transport them to England, for the relief of her husband. As all France was perfectly well acquainted with the true sentiments of its sovereign, the lady soon got together a powerful army, who were to embark on board a fleet commanded by Eustace the monk, and the land forces were, on their arrival here, to be commanded by Robert de Courtenay, of the blood royal of France.

The regent, upon advice of this expedition, sent Philip de Albiney and John Mareschall, with a body of forces, into the maritime counties south

of London, to take measures, in conjunction with the warden of the Cinque Ports, for intercepting these succours in their passage by sea, and to prevent their being landed on any part of the coasts of this kingdom.

The French fleet, consisting of eighty large ships, besides many of a lesser size, and some galleys, set sail on the twenty-third of August from the coast of France, and, the wind being fair, they soon came in sight of the English shore, and began to prepare matters for their descent. The fleet of the Cinque Ports, which were hovering off at sea, in expectation of them, suffered them to pass by, in order to get the advantage of the wind, and then bore down upon them in order to engage. The English fleet consisted of no more than forty ships, but these were strongly built, armed with iron beaks, and, by the care of Hubert de Burgh and Philip de Albiney, provided with an extra-complement of expert archers and crossbow-men; the English sailors were likewise greatly superior to the French, as well in their knowledge of sea-affairs as in their dexterity and address in managing their weapons, the latter having had little or no experience in naval engagements.

The English began the fight by running down upon the enemy with great impetuosity, and piercing their ships with their iron beaks, they sunk and destroyed a great many of them; and when they came alongside the others, they plied them in such a manner with their missiles, that the French could not keep their decks. The French admiral, on board of which their land general was, and three other ships of the French fleet engaged the four headmost of the English squadron; but, in a very short time, the three Frenchmen drew off, and left their admiral and his ship in the hands of the English, who struck the enemy's colours, and took possession of the vessel, wherein they found and made prisoners Robert de Courtenay and Eustace; the latter had his head immediately struck off, by order of Richard, the bastard son of John: an unwarrantable and cruel deed!

After the taking of their admiral, the rest of the French fleet made but a feeble resistance; many of them were either taken or sunk, and those few that escaped the general destruction, made the best of their way back to France, in a shattered condition.

This defeat gave the finishing stroke to all Lewis's hopes in this kingdom; and, to add a greater weight to the misfortunes that crowded in upon him, he now beheld the regent, at the head of an irresistible army, in the neighbourhood of London, and himself blocked up in that city, without the smallest hope of relief. The people, no longer overawed by the superiority of foreign masters, now gave a free vent to their expressions of dislike to him and his conduct. The chief barons of his alliance were shut up in prisons after their defeat at Lincoln; the rest had either openly abandoned his party, or, by being in the same straits with himself, continued about his person more through inability to go elsewhere, than out of any real affection to him or his cause. The whole nation resounded with the peals of ecclesiastical thunder hurled against him from the Vatican: the sea had swallowed up the succours that were to have snatched him from ruin; and he now remained in a foreign country, hated, despised, knowing not whom to trust, and cut off from all means to change the complexion

complexion of his fate. Thus circumstanced, nought remained but to seek by submission that safety which he had in vain tried to acquire by force. He demanded an honourable peace, in which all his allies should be included, otherwise he declared he would submit to the utmost rigour of his fate, rather than listen to any terms of accommodation that were not equally to secure the lives and fortunes of those who had embarked in his cause, with his own*.

The regent was at the head of a powerful army, and master of all England excepting the city of London; but, willing to put an end to the troubles of his country, and to drive Lewis from his footing in the kingdom at any rate, and wisely considering that, should he push matters to extremity, the king of France might break through all the restraints laid upon him by the pope's censures and menaces, to save his son from destruction, he embraced the proposal made by Lewis, and a conference was appointed to be held, on the eleventh of September, at a place between Brentford and Hounslow, at which king Henry, Lewis, the regent, the legate, and the principal noblemen of both parties assisted. Here a definitive treaty was reciprocally agreed and sworn to, and peace was concluded on the following terms.

By the 1st article the English friends, partakers, and adherents of Lewis shall be restored to the possession of their estates, as they held them when the wars first broke out; and also enjoy the customs and liberties of the kingdom (i. e. those of the two charters) in common with the other English subjects.

The 2d and 3d articles stipulate the same for all Henry's party in the city of London, and all other cities and boroughs.

The 4th article regards the prisoners made by both parties since the commencement of the war, who are now all of them to be released; and a commission is appointed to enquire into what prisoners had been made since or before that period.

The 5th article regards the sums to be paid for the ransom of prisoners.

The 6th is of little or no consequence.

By the 7th, all prisoners and others who had taken up arms against king John, had a liberty of renewing their homages to Henry, and enjoying their birth-rights as Englishmen.

The 8th obliges Lewis to set at liberty the hostages which had been sent him upon his first invitation, for the payment of a certain sum, not specified.

By the 9th Lewis obliges himself to give up to Henry all the places in his possession within England.

By the 10th article, all the islands taken by ships from Henry, or his father, were to be restored; and if the brothers of Eustace the monk, who it seems had those islands in possession, should refuse to make the cession, Lewis was to treat them as rebels.

By the 11th, 12th, and 13th articles, Alexander, king of Scotland, and Llewellyn, prince of Wales, were invited to become parties in this treaty, and to be included upon the same conditions.

By the 14th Lewis was to acquit the English of all their engagements to him, of what kind soever.

By the 15th the barons of England were to swear never to enter again into any engagements of that kind against Henry. And,

By the 16th Lewis swore to the observance of the peace, and to do his best for obtaining a confirmation thereof from the pope, or his legate, in his favour.

The remaining articles are of little or no importance; only the word Partakers was explained to belong to the laity only: and we are to observe they were concluded at Lambeth, and not at Staines, where most of our historians have fixed them. These articles, such as the reader here finds them, are extracted from Reymer's Collection, vol. i. p. 221.

To these articles Mat. Paris adds another, which, though not contained in the instrument published by Mr. Rymer, seems however to have passed current, out of too great a deference to his authority, among the French as well as English historians. It was an engagement on Lewis's part, to use his utmost endeavours to persuade his father Philip to restore to Henry all his rights on the continent; and if he failed in this mediation, to do it himself as soon as he should become possessed of the crown of France.

The treaty being signed, ratified, and confirmed by the pope's legate, the latter gave Lewis absolution; and, on the fourteenth of September, a safe-conduct was granted him to depart the kingdom; and, being accompanied by the regent to the seaside, he embarked, and passed over to France, resolving heartily in his own mind (if we are not, with some historians, to suppose him compelled by oath) never again to set foot on English land. Before he left the kingdom, however, he borrowed five thousand pounds sterling of the Londoners, to defray the expences of his return.

The citizens of London had been the chief support of the barons in their insurrection against king John, had been as eager as any other body of people in the kingdom in inviting over Lewis to take upon him the government of this country, and as zealous afterwards in maintaining his cause; but, whether they were now touched with pity for the tender age and inculpability of Henry, whether they expected their liberties would be more safe under an English prince than a foreigner, or whether, in fine (which appears the most probable), as the vulgar are apt to follow fortune through all her changes, the desperate situation of Lewis's affairs after the defeat of Lincoln, had altered their views and sentiments, certain it is, their attachment to that prince became on a sudden surprisingly cooled, insomuch that, after his return from France, a little after Easter, he durst not stir without the walls of the city for fear the inhabitants should shut their gates against him. However this might be, the prince of France was no sooner gone, than Henry entered the gates of London, thrown open to receive him, amidst the shouts and acclamations of the citizens, and received their homage and fealty, together with those of the noblemen there assembled.

The rage of civil war being now appeased, the regent betook himself to the salutary methods of improving the peace his prudence and victories had so happily brought about. With this view he sent orders to all the magistrates of the kingdom to ex-

* By the way, this prince's generous care of the English barons is hardly reconcileable with the resolution imputed to him by the viscount of Melun. See p. 362, of this History.

ecute the two charters of king John, and to punish all those who should refuse to conform to the articles contained in those constitutions. And, on the fourth of October, the king, to rivet the affection of the Londoners to him, granted them a new charter, confirming all their rights and immunities, and also took an oath to maintain the nation in general in the full enjoyment of its privileges.

Of all those who were the adherents of Lewis, the clergy seem to have been the most neglected and ill-treated, for they were left entirely at the mercy of the pope, whom they had offended in the most sensible part, and who seized with eagerness upon this occasion to wreak his revenge upon them for their disobedience. Accordingly, as soon as he could get breathing-time, the legate set up an inquisition all over England against those clergymen who had been found to favour the prince of France, in consequence of which numbers were deprived of their benefices, which were bestowed upon the legate's creatures, unless the first professors could redeem them by fines, which were generally very exorbitant. The bishop of Lincoln was obliged to pay a thousand marks to the pope, and an hundred to the legate, for leave to retain his see; and Simon Langton and Jarvis de Habrugge were stripped of all their ecclesiastical preferments. By these oppressive proceedings immense sums of money were returned into the pope's coffers, who was always sure to be a gainer amidst the most universal loss and desolation.

Alexander, king of Scotland, who had been excommunicated for having done homage to Lewis, at his first arrival in England, had, during that prince's success, set the papal censures at open defiance, and had actually advanced as far as Jedburgh, with a view of invading England, at the time the treaty of peace was set on foot, of which he no sooner received intelligence than he dismissed his army, and remained on the borders till he heard that the parties had come to a final agreement. And now, consulting the good of his people before all other considerations, he acceded to the treaty of Lambeth, and, on the first of December, was absolved from his excommunication by the archbishop of York and the bishop of Durham, who had received powers for that purpose from the legate Gualo. Previous to his being delivered from ecclesiastical censure, he did homage to Henry for the fiefs he held in England, and delivered up the town and castle of Carlisle, which he had taken during the troubles.

Much about the same time Llewellyn, prince of North Wales, and the king of the Isles, renewed their submission to the English government; and a treaty of commerce, very beneficial to the city of London, was concluded between Henry and Haquin, king of Norway.

This year died pope Innocent III. and was succeeded in the papal chair by Honorius III.

It is generally observed, that a perfect calm succeeds but by degrees to any violent storm; the thunder is still heard to grumble at a distance, and the heavens continue for some time to wear a lowering aspect: as with the natural world, so fares it with the civil, and the olive of peace springs not hastily from amidst the ruins of homebred war and national animosity. Although the departure of the French seemed to promise England some re-

pose, to which she had long been a stranger; yet the very treaty which was calculated to procure her this blessing, gave birth to new troubles, and threatened the people of this land with a renewal of their late miseries, and which nothing but the consummate wisdom and noble resolution of the regent could have prevented. Among those noblemen who had the most faithfully adhered to John, and had been rewarded by him with the confiscated estates of the barons in arms against him, were William, earl of Albemarle, Fulk de Briant, Robert de Viepont, Brian de l'Isle, Hugh Baliol, Philip Marc, and Robert de Gaugie, all men of great interest, but of bad principles, who had grown rich and powerful by the public calamities. These could not now bear the thoughts of restoring the lands they were in possession of, to the old proprietors, agreeable to the tenor of the late treaty, and began to raise disturbances, by fortifying their castles and refusing to make the restitution required. The most active of these nonconformists was de Gaugie, who seized upon the castle and town of Newark, which he held against the bishop of Lincoln, sent to summon him to surrender it in the name of the regent. De Gaugie, however, bid him defiance; and the regent, who was resolved by a wholesome severity to strike terror into the refractory, assembled an army, though in the depth of winter, and marched in person against this disturber of the public tranquillity. The place stood a siege of eight days, at the end of which de Gaugie offered to surrender it, on condition of having his life and limbs saved to him and his. The regent accepted the offer, took possession of the town and castle; and by this conduct, at once so resolute and moderate, brought others to a sense of their duty, who, discouraged by the example of their confederate, made the like compositions.

And now, that he might reconcile all parties to the interest of their country by an attachment to the person of their sovereign, the regent caused writs to be issued, on the twenty-second of February, 1218, in the king's name, to the sheriffs of counties, to lay open all forests that ought to be disforested by the Charter of Forests; and, some time after, sent John Mareschall, chief-justiciary of the forests, on a circuit through the kingdom, to see the same fully executed; four of the principal knights in each county being chosen to return a jury of twelve other knights, to make a perambulation of the forests that were left standing, and to mark their bounds distinctly. At same time orders were given to demolish all the new castles that had been erected since the disputes between the late king and the barons.

But, however well calculated the measures of the regent were, for putting an end to the distractions of the nation, those pursued by the legate had manifestly a contrary tendency. Having received full powers from Honorius, the new pope, to act as he pleased with the clergy, even to suspension and deprivation, he exerted these powers in a manner very oppressive to the inferior priesthood, who had taken part with Lewis, enjoining them the most rigorous penances, raising excessive procurations upon them, and forcing them to take an oath to stand to the judgment of the church; and though every thing was now quiet, he still made a difficulty of taking off any of the censures they laboured under: in a word, Gualo proceeded with such ri-

gour and severity, that the Cistercians and Bernardines entered complaints against him at the court of Rome; in consequence of which he was recalled from England, and Pandulph, bishop elect of Norwich, whom I have had frequent occasion to mention in John's reign, succeeded him in his office: yet, though the kingdom was then reduced to the lowest degree of poverty, he made shift to carry off twelve thousand marks with him. The new legate, who was a prelate of more temper and humanity, restored to their benefices many that had been deprived of them by his predecessor.

This kingdom seemed now to be in perfect good understanding and amity with the see of Rome. Stephen Langton, the archbishop of Canterbury, had returned to England this year, about May, having been restored to all his possessions, and had assisted at a council, held about Midsummer, at London, wherein the Great Charter of king John was renewed and transcribed; and the young king about this time began to use a temporary seal.

The year 1219 opened with a very popular act; for the orders concerning the two charters not having been duly executed, the regent sent itinerant justices into all the counties, to cause them to be better observed. But soon after the nation sustained an irreparable loss by the death of this great man, whose valour, integrity, and prudence had preserved it from the worst of all slaveries, that of foreigners. He was succeeded by William de Roches, bishop of Winchester; and Hubert de Burgh, the gallant defender of Dover, was created chief-justiciary of England. As the deeds of this truly excellent statesman and loyal subject, best speak the worth of his character, we shall not in this place attempt his panegyric, to which we confess ourselves unequal; but only observe that he paid the debt of nature about the middle of March (some say May) in the year 1219, and his body was deposited in the church of the Knights Templars (now the Temple church), where his effigy, in a coat of mail, is still to be seen in the middle of the round.

Upon the death of the regent, the earl of Albemarle, who had been permitted to keep his castle of Rockingham, betraying an inclination to raise fresh disturbances, it was therefore resolved by the government to dispossess him of the same: and as it was suspected that many others were secretly caballing against the public peace, it was determined in a council, held at Marlborough, where the court kept the Christmas of this year, that, on account of the king's first coronation at Gloucester having been performed in the presence of so few lords, and with so little solemnity, this ceremony should be renewed with more pomp in the usual place. Accordingly, on the seventh of May, the ensuing year, 1220, Henry was crowned at Westminster, by cardinal Langton, archbishop of Canterbury, with a crown of gold: Walter of Coventry says, with the same which had been worn by Edward the Confessor. On this occasion the king took a second time the customary oath, and all the great lords and prelates of the kingdom renewed their oaths of allegiance and fidelity to him, in the most solemn manner.

Immediately after his coronation, Henry set out on a progress to the North, accompanied by the regent and other great officers of the crown, and had an interview with Alexander, king of Scot-

land, at York, where a match was agreed upon between that monarch and the princess Joanna, sister to Henry; and a firm peace concluded between the two crowns. A negotiation was likewise set on foot, about this time, between Henry and the court of France, by the mediation of Pandulph, for renewing the truce, which was accepted by both parties, and sworn to by the earl of Warren, as fide jussor, or surety, for Henry. A bull likewise now came from pope Honorius, forbidding any English subject to hold more than two castles.

Henry, in his return back from his progress, made several alterations in the custody of castles, that had been committed by his father to persons who did not appear worthy of the trust to the present government. None of the tenants of those forts made any opposition to the royal will, except William (de Forz) earl of Albemarle, who still continued governor of Rockingham castle, having taken no notice of the order sent him from court to deliver up the possession thereof. Henry taking this castle in his way homeward, was, by the earl, denied admittance, upon which the country round was immediately summoned to come to the king's assistance, and the people readily obeying, the refractory earl was obliged to surrender.

The rest of this year passed without any events worthy of historical notice, save that Henry, on his return to the capital, laid the first stone of the new abbey-church of Westminster, which remains a monument of the taste and architecture of that age; and also assisted at the ceremony of removing the corpse of Thomas Becket, from the stone coffin and vault where it was deposited, to a rich shrine of gold adorned with precious stone, at the expence of Stephen Langton, archbishop of Canterbury.

The earl of Albemarle, nettled at the loss of his castle, and the disgrace himself was in at court, withdrew privately from thence; and, early in the year 1221, began to fortify his castle of Boham, in Lincolnshire. He was joined by Fulk de Briant, Philip Marc, Peter de Mauleon, Engelard de Athey, and several other nobles, who either thought or pretended to think themselves ill-used by the ministry. Notwithstanding that the steps taken by the earl and his associates were perfectly well known at court, yet it was resolved not to proceed against him otherwise than by legal process: for this purpose a council was summoned at Westminster, at which the earl was cited to appear. In order to gain time, he pretended himself ready to obey the call; but on a sudden he surprized and took the castle of Fotheringay, in Northamptonshire, belonging to Hubert de Burgh, the chief-justiciary. This overt-act of treason and rebellion warranted the most vigorous measures on the side of offended majesty: and the earl finding that the sense of the nation in general was against him, and that even those who had been the most ready to counsel him to that rash step, were now the first to abandon him, he thought it most prudent to make his peace, which he at length obtained, through the intercession of the legate Pandulph.

Scarcely was this disturbance quitted when another broke out in Wales. Llewellyn, prince of that country, having, under some pretext, laid siege to the castle of Buelt, belonging to Reginald Beause, who applied for protection to the government, who immediately sent such a powerful force to his assistance, that Llewellyn was glad to seek his

his safety in submission; and the regent caused the castle of Montgomery to be built, as a safeguard to the English frontiers on that side.

The marriage agreed upon the last year, was celebrated this Midsummer, between the king of Scotland and Henry's sister. At the same time Hubert de Burgh, the great justiciary, by consent of both kings, married the sister of Alexander; a match which, by raising him to a rank above his fellow-subjects, exposed him to the envy and jealousy of several noblemen; and, amongst others, William, earl of Salisbury, and Ralph, earl of Chester, who made it their business to disturb him as much as possible in the execution of his office: but the archbishop of Canterbury interposing, a general council was summoned at London, in which a reconciliation was effected between the two earls and the justiciary. But, notwithstanding the great attention of the ministry, who strictly adhered to the measures of the late regent in checking all civil commotions, there were still a number of disaffected persons, who seized every occasion to disturb the public tranquillity; nor was the party of Lewis as yet entirely extinguished in the realm, many of the lower class of people, in London especially, being still in his interest; the clergy and inhabitants of Westminster, on the other hand, were staunch friends to the royal family of England: these different dispositions created an animosity between the two cities, which, the succeeding year, broke out in a dangerous riot, on the following occasion.

A wrestling match having been held, on the twenty-fifth of July, 1222, between the citizens of London and those of Westminster, the former came off victorious. The steward of Westminster, piqued at the rebuff himself and his party had met with, resolved to revenge this insult on his honour, and with this view proposed a second trial of skill, on the first of August following, and a ram was to be the prize of the victors.

On the appointed day, when the Londoners came to the field, they were set upon by the steward of Westminster and his people, armed with clubs and other offensive weapons, and, after many of them being cruelly maimed and wounded were obliged to fly for safety into the city.

Immediately the friends of Lewis, within the city, made this a party-quarrel, and it was resolved to take ample revenge upon the offenders. Serle, the mayor, a man of a quiet and peaceable disposition, endeavoured to quell the mob, who now began to rise and arm themselves, advising them to complain to the abbot of Westminster, who would not fail to do them justice upon the delinquents. This prudent counsel was, however, opposed by Constantine Fitz Arnulph, a bold factious fellow, who had been a zealous stickler for the French, during the troubles, and who now, heading the rabble, did all he could to inflame them; he told them it was in vain to expect justice from magistrates regardless of the honour of the city, and therefore they ought without delay to avenge their cause themselves, and let their enemies know that the citizens of London were not to be insulted and mutilated with impunity; and proposed that they should march immediately to Westminster, and pull to the ground all the houses belonging to the abbot and the steward.

The mob, in hopes of plunder, and eager for revenge, instantly embraced the proposal; and the

incendiary Constantine, putting himself at their head, gave out, with a loud voice, "*Mon joye de St. Denis!*" the watch-word of the French, and, madly running through the city, he and his rabble-rout came to Westminster, where they committed many horrible outrages, and demolished several houses belonging to the abbot and steward; after which they returned back in triumph to the city.

The watch-word which had been given out, alarmed the friends of the government; and the mob having wreaked their fury, Hubert de Burgh entered the city with a strong body of troops, and repaired directly to the Tower, where he summoned the citizens to appear and answer for their riotous proceedings. Constantine going thither, with great confidence boldly justified what he had done, declared he would repeat the same conduct on the like occasion; and pleaded the indemnity which had been stipulated for the adherents to Lewis by the late treaty of pacification. Hubert, perceiving his resolute boldness, without discovering his design or shewing any emotion, dismissed the assembly, but ordered Constantine and his nephew, and one Geoffrey, to be taken in custody; and early the next morning, they were, without any noise or ceremony, conducted to the gallows, where they were all three hanged, notwithstanding Constantine offered to redeem his life with fifteen thousand marks of silver.

Had the severity of the government rested there, it might have been thought just and wholesome; but a great number of the citizens, who had been concerned in the tumult, were punished with the loss of their noses, hands, or feet; nay, the justiciary farther expressed his resentment against the city, by turning the magistrates out of their offices, though nowise concerned in the late disturbances, and appointed others in their stead, by his sole authority.

This arbitrary and impolitic severity excited a general clamour against the regent from all quarters, but more immediately from the city of London, as it was a direct infringement of the charters which had been so lately confirmed, and by which no freeman was to be punished without a previous trial and legal conviction. Their murmurings, however, served only to call down upon them the resentment of the court, who now obliged the citizens of London to deliver thirty of the most considerable of their body to the king, as sureties for the good behaviour of the city, and if any of them died, others were to be added in their stead, to keep the number full.

These exertions of despotic power, however, gave such umbrage to the nation in general, that, in a parliament held on the thirteenth of January, 1223, at London, many of the great barons requested the king to execute the charters, to the observance of which he had sworn. The court, however, had adopted new maxims since the death of the great earl of Pembroke, and such as were quite the reverse of those which he, with so much honour to himself and emolument to his country, had steadily pursued; and when this address was presented to the king, William Breuere, one of his courtiers, rose up, and objected to a compliance with them, saying, "That it was not reasonable to demand the performance of what had been extorted by force." The archbishop of Canterbury, startled at this rash declaration, replied to Breuere, "That

if

if he really loved the king, whose interests he pretended so warmly to espouse, he would not, by giving him such pernicious counsels, endeavour to involve the kingdom in fresh troubles:" and Henry, seeing that prelate in a passion, and dreading the consequence of appearing to favour the ill-advised speech of his courtier, declared himself ready to observe all those privileges to which he had sworn. Agreeably hereto, writs were ordered in council, on the thirtieth of January, to be sent to all the sheriffs in England, for "enquiring, upon the oaths of twelve of the most legal and discreet knights of their counties, who best knew the fact, in a full county-court, into the customs and liberties, which had been enjoyed by the crown, the day when the war began between king John and his barons; and for causing them to be proclaimed and observed in their respective counties."

Little more seems to have passed at this council besides a subsidy paid for the Holy Land, toward which every earl paid three marks, every baron one mark, every knight twelve pence, and every housekeeper one penny.

On the fourteenth of July, in this year, died Philip Augustus, king of France, who had, by reuniting a multitude of fiefs to the crown, restored the French monarchy to a great parts of its ancient power. Upon the news of this event, Henry's council sent over ambassadors to congratulate Lewis VIII. his son, on his accession to the throne, and remind him of the promise he had made with regard to Normandy and the other provinces, of which John had been deprived by his father. But Lewis, far from granting this demand, not only declared that he looked upon Normandy as unalienably annexed to the crown of France, but should likewise, at a proper time, renew his claim to England, in virtue of the grant made him by the great barons. It was easy to conclude from this answer of the king of France, that the truce which had been made with his father, and which was to expire at the Easter following, would not be renewed between the two crowns; and Henry, upon the return of his deputies, published a manifesto, inviting the noblemen of Normandy to return to their allegiance under his family, promising to restore them to their family-possessions in England.

Hubert de Burgh, the high-justiciary, began now to assume a prerogative to which none of his predecessors in that employment had ever aspired. He thought little of the extensive power and authority with which he was vested, so long as he was obliged to receive orders from the bishop of Winchester, who, on the demise of the earl of Pembroke, had been appointed regent of the king and kingdom: in order, therefore, to remove this bar to his ambition as soon as possible, he solicited and obtained a bull from the court of Rome, declaring Henry (though only seventeen years old) to be of age, and authorizing him to assume the reins of government; at the same time enjoining all those English subjects who were possessed of castles, honours, and towns, to resign them into the hands of their sovereign, under pain of ecclesiastical censures. Upon the publication of this mandate, the barons immediately perceived that it had been obtained by the intrigues of de Burgh, and therefore refused to obey, alleging in their vindication, that such an order was altogether contrary to the laws of the kingdom, which declared the king a

minor till he should have attained the age of twenty-one years complete.

The justiciary finding himself thus baffled, bethought himself of another very politic step: he persuaded the king to demand of him the fortresses which were in his custody, and thereupon surrendered the Tower of London and Dover castle, the two most important places of the realm. This he did with a view to set the example to others, and to take from them any pretext for a refusal. Several of the barons fell into the snare, and gave up their strong holds: but they soon found that the crafty Hubert had outwitted them; for no sooner was the king in possession of their castles, than he immediately restored to his minister those of which he had made the sham surrender. So mean an artifice could not but draw down the resentment of the nobles both upon the justiciary and his master: many of the great lords resigned their places, and returned home, full of discontent, and ready to seize the first opportunity of expressing their resentment in a more effectual manner.

The chief of the noblemen in the opposition were the earls of Chester and Albemarle, the constable of Chester, Fulk de Briant, Robert Viespont, Engelard de Athy, William de Cantelupe, and his son. The archbishop of Canterbury perceiving the turn matters were like to take, and being desirous to prevent, if possible, the renewal of civil broils, which had already too long desolated the nation, resolved, with the advice and consent of his brethren the clergy, and some of the most patriotic and virtuous among the great men, to adopt such measures as might best tend to a reconciliation of all parties. With this view, in the beginning of the year 1224, they waited upon the king at Northampton, where he had kept his Christmas: but in the mean time advice coming, that the earl of Chester, with those of his party who were then at Leicester, were behaving in a very indecent and outrageous manner, wanting little of open rebellion, the archbishop, with his suffragans, fulminated a sentence of excommunication in general terms, against all disturbers of the peace of the kingdom, at the same time intimating to the earl of Chester and his friends, that if they persisted in their present lawless behaviour, or longer refused to deliver up their castles, they would find themselves particularly specified in a sentence of excommunication from the pope. The censures of the church were then so formidable, that the most haughty and powerful bowed before them; and the earl and his party, rather than incur the threatened sentence, thought proper to submit, and, repairing to Northampton, they made a formal resignation of all their castles, honours, &c. to the king.

This submission was only in appearance: but Hubert looking upon it as a triumph of his power, grew more insolent than ever; and the discontented party, out of resentment, sought all opportunities of embroiling the kingdom, in which they succeeded but too well, as we shall presently see.

Fulk de Briant had been raised from the lowest condition of life by John, to be one of the most considerable noblemen in England. He had done great services in the war with the barons; and, among other rewards, had a grant of the castle of Bedford, forfeited by William de Beauchamp. This man, who had never known any law but his sword, who

who had never earned any bread but by blood; was pitched upon by the discontented party as the most proper tool for bringing matters to an issue by the sword. He was insolent, void of all religious or moral principles, and infinitely rapacious, which made him universally hated, especially by the poor, whom he took all opportunities to oppress: he never scrupled any violence to compass his ends, and, about this time, had seized the lands of thirty-two freeholders in the manor of Luton, ejecting them without any legal process, and appropriated to himself a considerable extent of pasture-ground, which was right of common.

The sufferers suing for the recovery of their rights, no less than thirty-five verdicts were found against him at the king's court at Dunstable, before Martin Patteshall, Thomas de Mauleon, and Henry de Braybrock, justices itinerant. Incensed at this determination, he sent his own brother William, with a body of troops, to seize the persons of the judges; the two first escaped, but the latter being taken, was conveyed to Fulk's castle of Bedford, and there ignominiously confined. This castle had been fortified so strongly, and supplied with such plenty of provisions and necessities, that it was thought capable of holding out against a twelvemonth's siege.

Henry was at this time holding a great council at Northampton, to consider upon ways and means to equip an armament to send against Lewis of France, who, taking advantage of the commotions in England, had invaded several of the lands belonging to Henry on the continent, and made himself master of Saintonge and Rochelle; all which he had done upon the frivolous pretext, that Henry had omitted to appear at his coronation as a peer of France. News being brought to this council of the audacious behaviour of Fulk, it was resolved unanimously, that the place should be besieged without loss of time. This was done on the sixteenth of June, and William, Fulk's brother, being summoned to surrender, he insolently answered, that "he would not, without the orders of his immediate superior, who was absent." The bishops then tried what effect their ecclesiastical engines would have, and excommunicated Fulk de Briant, his brother, and all that were in the castle; nevertheless the garrison defended the place for three weeks with great bravery, at length, despairing of relief, on the fourteenth of August they surrendered at discretion. Notwithstanding the intercession of his friends, who solicited the king in his behalf with unwearied importunity, William de Briant was hanged, with four-and-twenty knights who were found in the place, and the castle itself levelled with the ground.

Fulk, who, before the siege, had gone into Cheshire and Wales, in order to concert measures with the discontented barons for openly taking the field, was discovered at a place three miles beyond Chester, by the bishop of the diocese, and sent to court. He now implored the king's mercy, through the intercession of the bishop of Coventry; and Henry, in consideration of the services he had done his father, granted him his life; but he was committed to the custody of the bishop of London

till the year following, when, by an act of the general council, his estate was confiscated and himself banished the realm; after which he led a wretched life for about two years, and then died abroad.

The earls of Chester and Albemarle, Walter de Cantelupe, bishop of Worcester, Brian de l'Isle, and Peter de Mauleon, assisted with their followers at the siege of Bedford castle; but, by their discourses and actions, they had rendered themselves so much suspected of favouring the besieged, that they were not admitted to council, which affected Chester and Worcester so much, that they thought fit to retire home as soon as they learned the occasion.

Henry this year kept his Christmas at Westminster, and, in the beginning of the year 1225, a general council of the estates of the kingdom was held. Here Hubert de Burgh laid before the assembly the state of the king's affairs abroad, and the successes of the French, who, after the reduction of Rochelle, had over-run the whole Limousin, and the necessity of a speedy supply. After some deliberation, the assembly came to a resolution, that a tax of one fifteenth should be laid upon all moveables throughout the kingdom, for raising an army to oppose the progress of Lewis. Previous, however, to granting this aid, the council pressed the king that the charters of king John, which had still been greatly neglected, might for the future be punctually observed. Henry's circumstances not suffering him to deny their request, he readily granted it, and signed and sent two charters to every county, the one concerning the common liberties, the other the liberties of the forests, appointing commissioners to see the same regularly executed. But the effects of these orders were of no long continuance. However, the people were so well satisfied with the king's good intentions, that never was tax levied with more exactness: by the way it must be observed, that the bishops, to provide against all accidents, excommunicated every one who should be found guilty of fraud*.

Thus supplied, the king levied an army and equipped a strong fleet: he also knighted his brother Richard, created him earl of Cornwall and Poictou, and made him commander in chief of the forces which were to serve in France, the earl of Salisbury and Philip de Albiney being to command under him. The three generals soon after went on board the fleet, and on Palm-sunday (March 13) arrived safely at Bourdeaux, which still remained inviolably attached to the house of Normandy.

Richard's first attempt was upon Macaire, which he easily reduced; but the siege of la Reole was a work of greater difficulty: after having lain before the place for a considerable time, the count of la Marche advanced to its relief with a strong body of French and Poictevins; but falling into an ambuscade, which had been laid for him by the English generals, he was suddenly attacked and totally routed. The garrison of la Reole being thus deprived of all hopes of assistance, immediately surrendered, and their example was soon followed by that of Bergerac.

* The books of the clergy, the ornaments of churches, the jewels, horses, and armour of knights, and all carriages and implements of husbandry were exempted from this imposition, which was assessed by four legal knights in each county, and

amounted, in the whole, to fifty-nine thousand marks, besides five thousand given by the Jews, and two thousand by the Cistercians. Walter of Coventry. Tyrrel, fol. 853.

The rest of the campaign was spent in alternate successes of both parties; but the trifling advantages gained by the English would not have remained with them long, had not Lewis been persuaded, by the joint importunities of the pope, the king of Arragon, and Aumeric de Montfort, to engage in the crusade against the Albigenes, and, on that account, to consent to a truce with the English for three years, in consequence of which the latter returned home.

The year 1226 opened with a parliament, held at Westminster, about Hillary term, wherein the king, who was recovered from a dangerous illness, was declared of age, though he had not yet attained his one-and-twentieth year. But this was not the only business for which this parliament was assembled; for the bishop of Rome, being now resolved to draw something more substantial from England than bare homage and dutiful acknowledgements, had sent over one Otho as his legate, who had made a very extraordinary proposal in the name of his holiness, the substance of which was, that the holy see having long lain under the reproach of selling her favours for money, it was the duty of all good Christians to remove the cause of such imputation, which was owing to the extreme indigence of the Roman church; and therefore he had to demand of this nation, in the name of the pope, that two prebends in every cathedral, and as many cells in every convent in England, should be granted to the see of Rome, by an authentic deed, confirmed by an act of the general assembly: by these helps, he said, the popes would be enabled to distribute indulgences with generosity and moderation.

This impudent and unconscionable demand was now taken into consideration by this parliament, who, far from complying with it, would not even deign to return an answer. But the archbishop of Canterbury, who had about this time been made legate, and who, as head of the church, was more concerned than any one in opposing these insolent encroachments, called a synod of all the prelates, in presence of the king; and, after some deliberation, returned for answer, in the name of the assembly, "That as his holiness had made the same demands upon other churches, that of England should follow the example of compliance which should be set by them." This was by no means satisfactory to the pope, who, to mortify Henry in his turn, sent inhibitory letters, commanding him not to attempt any thing against the dominions of

France, so long as its king Lewis should bear the cross he had taken up against the Albigenes.

Henry began his majority with an act, at once unpopular and unjust: not daring to demand any money of his parliament, after the very considerable aid they had so lately granted him, he had recourse to an expedient which had been formerly made use of by his uncle Richard Cœur de Lion, after his return from the Holy Land. He ordered proclamation to be made, that all persons who claimed any liberties or possessions by his grant, should have them renewed under the great-seal before the ensuing Lent. This order, the only end of which was to fill the king's coffers, did, indeed, fall the heaviest upon the monasteries, who were the best able to support it, on account of the great riches they were continually accumulating by the donations of religious folly and enthusiasm, so prevalent in those days; nevertheless, candour obliges us to join with Mr. Rapin in his reflection upon this occasion: "All unjust methods (says that historian) invented by princes to extort money from their subjects, are so many inexhaustible springs of oppression, successors seldom failing to follow such precedents."

This year is distinguished by the death of two persons who made a great figure in the history of their own times; the first was William Longue Espée or Longsword, earl of Salisbury*; and the other, Fulk de Briant. The latter, by his intrigues at the court of Rome, during his banishment, had succeeded so well, that before his death he was restored to the favour of Henry, and was preparing to return to England when he was seized with the malady which put an end to his days.

As Henry advanced in years, he discovered extreme avarice, inconstancy, caprice, weakness of judgment, and irresolution, mingled with the principles of tyranny and oppression, which afforded a very disagreeable prospect to his subjects. He suffered himself to be wholly guided by the councils of Hubert de Burgh, who, being impatient of any controul or partition of influence, prevailed upon the king to dismiss the bishop of Winchester from his councils, and that prelate was ordered to return to his diocese. After his departure, the justiciary persuaded Henry to throw off all those restrictions that hampered him in his administration, and to reign with absolute authority. He soon found the king too well disposed to follow his advice, the effects of which were soon severely felt by the people of England; for he exacted five thousand marks from the city of

* This nobleman, who was the natural son of Henry II. by the fair Rosamond, as well on account of his quality as his merit, deserves to have the manner of his death particularly noted here. Upon the recalling the English fleet from the late expedition in France, he had gone on board it; but was met by so rough a storm, that his ship was forced back to the isle of Rhé, near Rochelle. Savory de Muleon, now in the service of France, was governor of this isle; and the earl, fearing to fall into his hands, applied for protection to an abbot; but finding himself very unsafe there, he was obliged again to go on board his shattered ship, which was in so miserable a condition for sailing, and met with so many accidents, that, according to Matthew Paris, it was three months before he got back to England. It is no wonder that, after so long an absence, he was supposed to have perished in the sea. As his supposed widow was one of the greatest fortunes in England, the all-ingrossing minister, Hubert de Burgh, procured the king's consent that she should be married, provided she was pleased with the match, to one Raymond, who was his nephew and apparent heir. Accordingly the young gentleman began his courtship with great magnificence, and employed every

means that could touch the ambition or the heart of the dame: but as the king's permission had not deprived her of her free will, she treated his addresses with vast disdain; she pretended, that she had some reasons to believe that her husband was still alive; but added, that supposing him dead, her quality, as the widow of so great a man, ought to put her above the insult of an address from so despicable a suitor. This answer so much discouraged the lover, that he discontinued his courtship. Soon after the earl, escaping from the dangers of the sea, appeared at court: he there demanded from the king justice upon Hubert de Burgh, for the mean arts he had employed, in his absence, against the honour of his bed; and declared, that if he was denied justice from the throne, he would take it by his own sword. The justiciary appeared full of confusion at this charge; he asked pardon for what had passed, and made many rich presents to the earl to procure his forgiveness; nay, the earl, imposed upon by his seeming penitence, accepted of an invitation to an entertainment at Hubert's house. Here, it is said by our historians, he was poisoned by that perfidious minister. In him the crown lost one of its strongest supports, and the people one of their best friends. Matt. Paris.

London, on pretence that her citizens had lent the like sum to Lewis, at his departure from the kingdom: Northampton was compelled to pay twelve hundred pounds sterling, on some other frivolous pretext; and large sums of money were squeezed from the monasteries, notwithstanding their appeals to the see of Rome. But what entirely alienated the affections of the people, was the unexpected revocation of the two charters, which he had so solemnly sworn to observe.

For in February, 1227, being now in the twentieth year of his age, he held a great council at Oxford, wherein he declared himself absolutely major, and that he was determined for the future to govern the kingdom by his own orders; adding, that as the Great Charter and that of the Forests, had been obtained from his father by compulsive means, and confirmed by himself during his minority, when he had no power, either of his own person or of the seal of the kingdom, he should not look upon himself as legally bound by any acts or promises during that state of nonage. The parliament was struck with astonishment at this declaration; and the complaints against Hubert, to whose advice all these evil steps taken by the king were attributed, now rose to a great height. Hubert, however, seemed to laugh at the murmurs of the people, and was, in the course of this year, invested with the earldom of Kent, as a recompence for having freed his master from the yoke of these charters.

Lewis VIII. king of France, dying in his expedition against the Albigenes, was succeeded by his son, Lewis IX. afterwards the celebrated St. Lewis, then a minor of twelve years of age. The English thought this minority a favourable juncture for attempting the repossession of the ancient estates in France; and for this purpose a deputation was sent into that country, commissioned to use all means to prevail with the Normans, and the other tenants of those lands anciently held of the royal family of England, to renew their allegiance to Henry; but, by the prudence of the queen-regent of France and her friends, the designs of the English were entirely disconcerted, and the commissioners were obliged to return without making any progress in the negotiation.

In the mean time the conduct of the king and his minister had inspired the barons with so much discontent, that their affection to their sovereign was perceptibly lessened. Prince Richard, earl of Cornwall, having returned from France, soon after the revoking the two charters, found one of his manors possessed by one Walleran a German, who claimed it in right of a gift from king John; the earl not admitting the justice of the plea, dispossessed Walleran till he should appear and produce his title to the litigated estate. The latter, instead of complying with so just a summons, repaired to the king, and represented himself as hardly used by his brother, and actually obtained a writ under the royal sign manual, ordering the restitution of the manor. The earl, upon this, posting up to court, defended his proceedings, and refused restitution, unless obliged thereto by the sentence of his peers. Henry, offended at what he thought an insolent appeal from his authority, fell into a violent passion, and told Richard that he should either restore the manor in question by a limited time, or depart the kingdom. Richard, whose passions

were worked up by this exertion of arbitrary power in his brother, boldly replied, that he would take the benefit of the laws of the land, repeating, that without the judgment of his peers he would part neither with his property nor his country; and so saying, rushed hastily out of the presence, and retired to his own palace: from thence he went to consult with his most intimate friend, the earl-marshal. Pembroke approved of what the prince had done; and told him, that he ought to improve this favourable opportunity of putting a check to arbitrary power, which was taking great strides towards the extinction of all private property and privilege; assuring him at the same time, that he was ready to assist him in the glorious contest with his life and fortunes, and doubted not that many of the principal barons were in the same disposition. Nor did this noble offspring of the brave defender of the liberties of his country content himself with words only, for he improved the general dissatisfaction against Hubert, for his breaches of every lawful tie, so far as to persuade the earls of Chester, Gloucester, Warren, Hereford, Ferrers, and Warwick, to join the party of the insulted prince; and all of them, having gotten together a fine body of troops, marched to Stamford, where a general rendezvous was appointed, and put the earl of Cornwall at their head, to compel the king to restore the charters he had lately annulled.

Tyranny and its counsellors are seldom found to have resolution to brave the storm which they themselves have raised. The minister, fearing the insurrection would become too general, and knowing its grounds too justifiable to be quelled by the force of prerogative alone, resolved to procure a reconciliation between the two brothers; and, that he might the more effectually gain over Richard, who was the soul of the confederacy, by satisfying all his wishes, he persuaded the king to settle on him the dower of the queen their mother, to which he claimed a right; and likewise to augment his appennage with the lands of Boulogne. Richard, allured by this liberality, said no more about restoring the charters, nor of the injustice he had suffered from his brother, and the association was dissolved. In this manner do the great too often use, or rather abuse, the pretence of the public good, to promote their own interests, or gratify their passions; but as soon as means are found to satisfy their private pretensions, they throw off the mask, and discover that the public good was the least of their views.

This year pope Honorius III. died, and was succeeded in the pontificate by Gregory IX.

Stephen Langton, cardinal and archbishop of Canterbury, survived Honorius but a few months. This prelate was not yet interred, when the monks of St. Augustine, or Christ-church, chose Walter de Hemisham, one of their own convent, to succeed him in the vacant see; but Henry refused to confirm the election of a man, whose father had been convicted of theft, and hanged as a felon: the bishops suffragan of the province likewise objected against him, as well on account of his scandalous life and conversation, as because he had been elected without their concurrence or approbation: and both these parties sent agents to Rome to prevent his consecration by the pope. Walter going thither himself to solicit his own cause, was, upon examination, found insufficient, and his elec-

tion being adjudged null, Gregory reserved to himself the nomination of an archbishop. All the English agents joined in recommending Richard le Grand, chancellor of Lincoln, a man of a graceful person, unblemished life, and universal learning; and he being named accordingly, was consecrated, before he received his pall, by the bishop of Rochester, on Trinity-sunday, at Canterbury.

This year the Welsh making irruptions into England, the king marched into their country to chastise them; but, after harrassing his troops to no purpose, he returned without making any progress. About this time likewise a truce was concluded with France, from the seventeenth of July, 1227, to the twenty-fourth of June, 1228.

In the course of the ensuing year, 1228, Henry held a parliament at Westminster, to consider of letters brought by a nuncio from pope Gregory, who, finding himself oppressed by the emperor Frederic (whom he had lately excommunicated for not performing his vow of serving in the holy wars), demanded a tenth of the revenues of the clergy throughout Europe; and the French accordingly had granted him a tenth at this time, in as ample a manner as they had done to Lewis for his crusade against the Albigenes. The like demand was now made of the English clergy, who would fain have compounded for a gross sum; but being dissuaded by Stephen Segrave, one of the richest and most popular members of the council, and who had been bribed by the nuncio from that method, they granted it upon all kinds of the profits of prelaties and benefices, without any deductions for debts or expences.

As soon as the tenth was given, it was levied in the most oppressive manner; the prelates being forced, by the threats of excommunication and interdicts, to advance it immediately, before they had collected it of the inferior clergy, and to pawn or sell their plate for that purpose. To raise the money with greater expedition, the nuncio had brought certain usurers with him to supply the indigent, who, being necessitated to borrow at any rate, were thereby utterly ruined. These grievances affecting all the clergy (except those of the county palatine of Chester, where the earl would not suffer the tenth to be levied) could not fail of exciting terrible clamours; and the discontented did not spare to say openly, that the king and the pope had a fellow-feeling in this collection, and were in concert to fleece the wretched English.

The truce with France being expired, and Henry having had invitation from the nobility of the ancient fiefs of his family there, to recover them, promising to assist him to the utmost of their power, he determined to embrace the opportunity of this favourable disposition; and in August, 1229, proposed an expedition against France, summoning all the nobility and gentry of England to attend him at Portsmouth immediately after Michaelmas. Accordingly a prodigious number of forces assembled there on this occasion; more, saith Matthew Paris, than had ever been known on the like before; besides a vast multitude that repaired from Ireland, Scotland, and Wales. The resort of such unusual numbers to the place of rendezvous was so surprising and unexpected, that the preparation of ships and provisions for an ordinary embarkation fell far short of what was necessary for the supply of so great an army. The forces, therefore, were

not embarked; besides, they were obliged to wait for the arrival of the count of Brittany, who was to be the conductor of the enterprize: and he not landing till the ninth of October, it was the opinion of a council of war, called upon the occasion, that it was too late in the season to attempt to put to sea, or to engage in such an expedition; and, therefore, it was more adviseable to defer it till the Easter following. In consequence of this resolution the forces were dismissed; and the count, having obtained a grant of the honour of Richmond, and done homage to Henry, returned home, with a sum of five thousand marks in ready money. This was deemed a supply sufficient for the defence of his country till Henry's arrival, who, having parted with the count, made a progress into the North, and passed his Christmas at York, where Alexander, king of Scotland, made him a visit, with a prodigious retinue of bishops, barons, and knights.

Though Henry waited with impatience for the spring, in order to transport his army into France, his stay in England during the winter was not mispent: he procured a considerable present from the clergy, exacted also a considerable sum from the citizens of London, and compelled the Jews, who were then very numerous in the kingdom, to pay him a third of their substance. As soon as spring was come, Henry embarked with a fine army at Portsmouth, on the first of May, 1230, and landed at St. Maloe's, where he was received by the count of Brittany, who put into his hands all his strong towns and castles.

The French, who had all the winter to prepare themselves against this attack, had taken post behind Angiers, with an intent to hinder the march of the English into Poictou. But Henry's conduct seemed to render this precaution needless, for, instead of advancing to attack the enemy, he suffered them to fortify themselves in their post, while he continued at Nantes, expecting the rest of his troops, which were coming from Ireland. This inaction encouraged young Lewis, who was at the head of his troops, to advance within four leagues of Nantes, and lay siege to Ancennes, which Henry, who had now rendered himself ridiculous and contemptible, suffered him to take, without making one effort for its relief. After the reduction of this place, the French army continued advancing toward Nantes, and made a feint as if he intended to invest the castles of Oudun and Chateaufaux; and finding that Henry still continued a calm spectator of their progress, actually laid siege to, and carried, those two places, in sight of the English army, after which they continued their incursions to the very gates of Nantes.

Neither the insults of the French, nor the entreaties of his friends, being able to awaken Henry, and Lewis seeing no likelihood of an action, thought he could best employ his time in making up differences with the counts of Boulogne, Champagne, Flanders, Barr, and others of his discontented nobility, at whose desire Henry had invaded his dominions: accordingly he returned to Paris, where, by the excellent management of the queen-regent, a reconciliation was set on foot, and, happily for France, finished at Compiègne in September.

Upon the French king's retiring, Henry, to save appearances, drew his troops out of Nantes, and

and marched into Gascony, by the way of Poictou. There he received the homage of many noblemen; and, returning to Poictou, took the castle of Mirabeau by assault, and obliged many of the refractory Poictevins to make their submission.

About the middle of October he returned to Nantes; and now the English army being exceedingly reduced by sickness, the effect of intemperance, debauchery, and a new way of living, Henry resolved to return home, and came to an agreement with the count of Brittany, to assist him with four hundred knights and one hundred horse, as long as he was at war with France, and to pay him six thousand marks as soon as he got back to England, where he arrived on the twenty-sixth of October, landing at Portsmouth.

Thus ended an expedition, carried on at a prodigious expence, and attended with the destruction of an infinite number of men, particularly of the nobility, many of the most considerable losing their lives, without any glorious action, or attempt. It appears by a letter of Henry's to the emperor, in which he gives an account of his campaign*, that he casts the whole blame of his ill success on the treachery of the count de la Marche and the Poictevins, who failed in the performance of what they had promised: but he seems to have been himself the cause of their change, since, in all appearance, they would not have deserted him, if his conduct had been such as to have given them any hopes of finding in him a powerful protector.

As soon as Henry was gone, the generals he had left in France† took the field with success; and, making an irruption into Anjou, reduced the castles of Gautier and Chateaufort sur Sarte, burnt them, and demolished their walls. They next fell into Normandy, where they committed great ravages; but the winter being too far advanced for them to make any progress, they returned back to Brittany, having shewn, by those slight expeditions, what the army might have done, if headed by a vigorous and spirited commander.

Before I close the transactions of this year, it is proper to connect the history of Ireland with a transaction which happened at this time. This I

shall do in a note, not to interrupt the series of the English story‡.

Henry, after keeping his Christmas-court at Lambeth, opened the year 1231 by holding a parliament at Westminster, which met the twenty-sixth of January. Here the king, notwithstanding the great sums he had lavished in his late fruitless expedition, had the conscience to demand a scutage of three marks for every knight's fee from all his barons. The parliament was very unwilling to comply; but, however, were prevailed with at length, by the consideration of his great necessity.

Shortly after, a bitter quarrel arose between the archbishop of Canterbury and the minister, de Burgh, the former complaining that the latter had unjustly taken possession of the castle and town of Tunbridge, which had belonged to the late earl of Gloucester, and was a fief of his fee. The affair being brought before Henry, that prince declared in favour of his minister, alleging that the wardship of the young earl of Gloucester belonged to him; and that, in virtue of his prerogative, which he would suffer no one to contest, he had disposed of it to his justiciary during the minority of the true possessor. Upon this the archbishop denounced sentence of excommunication against all who should wrongfully detain the church-lands; and the matter was carried before the pope's court, whither each party sent agents.

While this matter was in dependence, Richard, earl of Cornwall, brother to the king, married the countess dowager of Gloucester, sister to William, earl of Pembroke and earl-marshal, who died in April of this year, and was succeeded in titles and estate by his brother Richard. The death of William encouraged Llewellyn, prince of Wales, to renew his incursions with a great army, and committed prodigious devastations. Henry, upon receiving this news, raised an army, and marched against the invaders; but they, as usual, retiring to their fastnesses on the approach of the royal troops, Henry could not pursue them, and the English returned after an expensive expedition, attended by no circumstance of note but rebuilding Maud castle in Montgomeryshire, which had been destroyed by the enemy.

* See Rymer, vol. i. p. 325—327.

† These were the earls of Chester, Albemarle, and Pembroke.

‡ We have already seen, that the Irish were entitled to all the privileges of the Great Charter of English liberty. Soon after this, a writ was sent over by the English government, directing the lords spiritual and temporal of that kingdom to assist Geoffrey de Marisco, the high-justiciary there, in the execution of his office. This was followed by another writ, which gives us no contemptible idea of the progress which the English had made in civilizing and improving that country, since we find England itself beholden to it for a supply of provision. We likewise find this people assisting the king with money, to pay off some engagements he had entered into with the court of France. A little before the death of the regent, Geoffrey de Marisco was succeeded in his post, as high-justiciary, by the archbishop of Dublin. Under his government the young earl Mareschall, and Lacy, earl of Ulster, had great bickerings with one another; but the former, as we have already seen, was obliged to attend his affairs in England, and, about the year 1224, it is probable, that earl Mareschall of England was made lord high-justiciary of Ireland. Henry, in the fifth year of his reign, granted to the city of Dublin, towards walling their city, three pence out of every sack of wool, sixpence for every last of hides, and two pence out of every barrel of wine, sold in the city; and afterwards he gave them fifty marks in money to the same purpose. It was about this time, likewise, that the writs were sent from England to the ports of Ireland, requiring them to fit out and

arm a certain number of galleys for their defence. All this time the English laws were not only making great progress there, but we find that the people, the clergy in particular, paid several considerable subsidies to Henry. The administration of earl Mareschall was attended with one happy effect, in reducing to his duty Hugh de Lacy, who likewise received his pardon, and afterwards performed a particular piece of service to the English. For about the year 1226, a writ being sent to the lord-justice, commanding him to seize and deliver to Richard de Burgh the kingdom of Connaught, upon his paying a certain rent for the same, the Irish grew greatly dissatisfied: the king, after this, requiring the presence of the earl Mareschall, Geoffrey de Marisco was again made lord high-justiciary, with a yearly pension of five hundred marks. But the absence of the earl Mareschall now encouraged the Irish to break out into open rebellion. Their confederacy consisted of no fewer than twenty thousand men; and in the year I am now treating of, 1230, they took the field, with an intent to expel all the English from Ireland. At their head was O Connor, the king of Connaught, who had become popular among them by his sufferings from the English government; and his army daily increased to such numbers, that they appeared able to compass what they had threatened. The justiciary had no other recourse than by calling to his assistance Lacy and Richard de Burgh, with their military tenants. A general battle ensued, in which the Irish, according to the English authorities, lost no fewer than twenty thousand men, their general, the king of Connaught, being taken prisoner by the English. Cox's History of Ireland.

Towards the latter end of this year the English generals in France having concluded a truce with that crown for three years, Richard, earl of Pembroke, who had accompanied his brother William in the expedition, and had distinguished himself on many occasions by his gallantry and conduct, now came over to England, to claim the inheritance which had devolved to him by the death of his brother, as before mentioned; but, to his great surprize, he found that the king had seized the estate as soon as he received the news of the brother's death, on pretence that the late earl's widow was pregnant. But this being a poor and momentary expedient for delay, another pretence was fallen upon to ruin the earl, by charging him with having carried on a treasonable correspondence with the enemy, and he was ordered to quit the kingdom within fifteen days. Such an arbitrary and unjust sentence (which most historians attribute to the advice of Hubert, who wanted to remove every subject of property and power from about the person of the king, that he might have him more effectually under his own direction) could not fail of provoking the son of a man who placed the crown on the head of a king, who thus ignominiously treated his family. The earl immediately obeyed, but went over to Ireland, where his interest was very powerful. There he was joyfully received by the friends and followers of his family; and assembling a body of troops, he passed over to Wales, where the castle of Pembroke surrendered into his hands, with all its appurtenances. After these successes he published a declaration, setting forth the injuries he had received, and his resolution to do himself right by force of arms, if the king continued to deny him justice. The minister, though he had great personal, yet was master of very little political, courage: alarmed at Richard's progress, he made the king recall him from exile, and restore his estate, investing him at the same time with the office of earl-marshal, which his brother had enjoyed, and was now become hereditary in the family.

Richard, archbishop of Canterbury, who had been to Rome to solicit the pope in person against Hubert, for seizing the castle of Tunbridge, did not meet with the success he desired; for the pope, taking part with Henry and his justiciary, issued a bull, prohibiting the prelates of England from excommunicating any of the king's officers for asserting the rights of the crown to the castles and other possessions of minors. Richard, therefore, finding that he could not carry his point, was returning home, but died on his way.

Upon the news of this prelate's decease, the monks of Canterbury chose Ralph de Neville, bishop of Chichester and chancellor of the kingdom, for his successor; and Henry was so well pleased with their choice, that he put him in immediate possession of the temporalities of the see; but the pope, who knew him to be a man of strict justice, great courage, and inflexible integrity, shrewdly suspected that, should he be advanced to the see of Canterbury, those qualities would induce him to declare the English church free from its dependence on the see of Rome, and therefore refused to confirm his election, and ordered the monks to chuse a second, and afterwards a third, both of whom were rejected for the same reason; at length they elected Edmund, treasurer of the church of Salisbury,

who, being chosen by the pope's own recommendation, was by him duly confirmed.

In the beginning of the year 1232 Henry called a parliament, which met at Westminster, on the seventh of March, of whom he demanded an aid to enable him to discharge the debts contracted by his late expedition into France; but was peremptorily refused, the earl of Chester declaring, in the name of all the barons, that, as they had already assisted him, not only with their fortunes, but at the hazard of their lives also, they could not look upon themselves as bounden to go any greater lengths, and therefore desired to be excused. Henry next tried the clergy, but with as little success; they did not, indeed, absolutely refuse, but desired further time to consider the matter; upon which the assembly was prorogued till Easter.

The reason of this coolness in the great men of the kingdom towards their sovereign, was occasioned by the great countenance Henry had given, and still continued to give the popes in their encroachments upon the rights of the church and nation, which had been carried to most atrocious lengths; for, not contented with exacting from time to time, on divers pretences, large sums from the clergy, the court of Rome had by this time used its influence in the most unjust and unpopular manner, by bestowing benefices upon Italian priests, and inhibiting English bishops and lay patrons to present natives until those foreigners should be preferred. Such a practice could not fail of raising a general clamour among the English, who, with justice, considered it as a national insult and grievance; and a number of associations were formed for delivering the kingdom from such shameful oppressions. The chief leader of the confederates was one Robert de Twenge, a knight in the North of England, who had been deprived by the pope of the patronage of a church, the only one he had. This man, actuated by his personal sufferings, and the natural hatred he bore to all foreigners, assuming the name of William Witham, encouraged his followers to enter forcibly the houses of several of the Italian clergy, whom they stripped of all their valuable effects, and distributed them among the poor, or sold them in public. In this manner they proceeded for some time without opposition, and the foreign ecclesiastics, not daring to venture their persons abroad, took refuge in several convents. At length the pope being informed of these violences, wrote to Henry, commanding him, on pain of excommunication, to put a stop to these proceedings, by making a strict enquiry after the delinquents, and punishing them with the utmost rigour. Henry, a weak prince, alarmed at these menaces, thought he heard the thunder of the Vatican already roaring in his ears, and instantly issued his mandate for making inquisition in divers parts of the kingdom, where those riots had prevailed; when it appeared that men of all ranks and degrees had countenanced these risings against the papal usurpation, nor did the chief-justiciary himself pass unsuspected of having lent his name and authority to the associates. At length Robert de Twenge appearing in the king's presence, followed by five knights, declared himself the ring-leader in all those expeditions against the Italians, alleging the wrongs he had suffered as the sole motives of his proceeding, and effectually cleared Hubert of having any part in what had been done.

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The king was so taken with his frank confession, that he gave him his pardon; but as the bishop of London had excommunicated all persons concerned in the late riots, he advised the young man to go to Rome to get himself absolved, and actually furnished him with his own letters to the pontiff, declaring his right to the patronage in question, and recommending him to the indulgence of his holiness.

Though this young adventurer fully cleared Hubert of all suspicion, yet this gave a handle to Peter de Roches, bishop of Winchester, to labour the ruin of that great favourite, which he at length accomplished. This prelate had, during the king's minority, been joined with Hubert in the regency of the kingdom; but the justiciary having procured him to be set aside, that he might get the regency vested in himself alone, Peter had from that time conceived an implacable hatred against him; and as he was just returned from Palestine, whither he had gone upon his dismissal, and where he had acquired some military glory, he resolved to exert his utmost efforts in supplanting his rival.

As he earnestly sought all occasions to compass his ends, he failed not to insinuate to the pope that the justiciary had been actually concerned in the outrages committed against the Italian clergy; and by these insinuations added the influence of his holiness to his own endeavours to ingratiate himself with the king. Henry began now to entertain a more favourable opinion of the bishop, and to cool towards Hubert; and an incident which happened about this time, admirably seconded the machinations of the prelate, and finished the ruin of the minister with his master.

For the Welsh, under Llewellyn, renewing their insolences, the bishop of Winchester, who had been lately recalled to court, and had gotten possession of the king's ear, took occasion to lay before him, in the most pathetic terms, the reproach to which he subjected himself by patiently suffering the insults of a set of naked savages, while he had so many troops able and ready to march against them, and exterminate the whole race. Henry, who never yet had either will or sentiment of his own, but wavered with the blast of every breath that could find admittance to his ear, pretended to be deeply affected with the prelate's representations, and to rouse to all the fury of insulted majesty; but recollecting himself a little, "What means are left me (said he) to revenge my insulted dignity? the officers of my treasury tell me, that, so far from

having sums sufficient in my coffers for carrying on a war, the revenues of my crown are hardly sufficient to furnish me with the common necessities for supporting my rank in the manner I ought." To this the artful de Roches had an answer ready prepared: "You have no one to blame, sir (replied he), but yourself. You have lavished your treasures on persons undeserving, or suffered them to do it in your name. This blind partiality of your's has so impoverished you, that you have only the name of king left, without either the grandeur or riches that are the usual concomitants of that exalted station. Cease to suffer yourself to be imposed on, and you may yet rise superior to all your difficulties. There want not those who are faithfully attached to your person, and, provided they had your licence, are ready to sacrifice their lives to snatch you and their country from the tyranny of an all-grasping minister." In a word, the bishop wrought so effectually upon the king, during this conference, as to persuade him that the contempt and poverty into which he was fallen was owing to the minister alone. He now put himself into the hands of Hubert's enemies: Ralph Breton, treasurer of the chambers, was displaced on a charge of malversation in his office, and one Peter de Rivaulx, a Poictevin, appointed in his room. The justiciary himself was removed, and the bishop of Winchester succeeded him as minister; while all the castles which the former held in the kingdom were taken from him, except that of Dover, which he had so nobly defended; and one Stephen de Segrave (the same who had betrayed his country in parliament, by procuring the grant of tenths for the pope, and was a creature of the bishop's) was made high-justiciary of England. And as the affections of weak minds are generally in extremes, Henry, who so lately thought his kingdom could not furnish a sufficient recompence for the services of his favourite, now shewed a mean eagerness to strip him of every thing he possessed; even the earldom of Kent was taken from him, with all the lands which he had formerly obtained, for services that envy itself must own had contributed to save this kingdom from a foreign yoke, and secure the crown in the possession of the lawful owner; and, whatever might have been Hubert's failings, when exalted to supreme power as a minister, the justice and impartiality which ought to guide the historian's pen, oblige us to acknowledge, that, while a private subject, he had acquitted himself with the greatest fidelity and honour*.

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* The same justice and candour forbids us to withhold from the reader the character of this great subject, as given by historians of no inconsiderable degree of credit; but at the same time we must beg leave to observe, that almost all ages have afforded melancholy proofs, that a man, who in private life may have deserved the love and esteem of his fellow-subjects, when raised to the summit of power has been so intoxicated with authority, as to act in a manner the very reverse to his natural sentiments, either from that weakness inherent to human nature, or from the desire of flattering the mistaken opinion of the master to whom he owed his exaltation, and from whom alone he can hope for a continuation of it.

Hubert de Burgh was son to a brother of William Fitz Aldelme, who was steward of the household, and governor of Ireland, under Henry II. and from whom the great families of the Burghs, earls of Ulster and Clanricarde, are descended. He was early distinguished by his parts and judgment; being employed by king Richard, and sent by John on an embassy to treat of a marriage for him with a daughter of the king of Portugal. In the third year of the latter's reign, being chamberlain of the household, he was constituted warden of the Marches

of Wales: and, besides other profits, was made governor of Dover castle. Normandy being soon after invaded by Philip Augustus, Hubert was made governor of Falaise, the most important place in the lower parts of that country: it was in this command that he gave one of the noblest proofs that could be given of a man's integrity, in refusing to execute John's orders for the murder of his nephew Arthur, then a prisoner in the castle. Being afterwards appointed governor of Chinon, in Touraine, he maintained that fortress for a year after all the rest of the province had tamely submitted to Philip: nor was it taken by storm at last, till he had been dangerously wounded in the assault. When Lewis, the son of that victorious monarch, invaded England with a French army, supported by most of the nobility of this realm, and every thing fell before him, almost without opposition, it was Hubert, who, by his gallant defence of Dover castle, first put a stop to the progress of his arms: and saved the realm from being over-run by foreigners. It was by his influence in the Cinque Ports, that the English squadron was manned, that it destroyed Eustace the Monk's fleet, coming with French succours to the assistance of Lewis; who, seeing all his hopes blasted

A complicated charge was now preferred against the fallen minister, for some part of which there was but too good foundation, while other articles were of an improbable nature, and the mere inventions of malice and revenge, determined at all events to crush the object of its hatred. The city of London, on this occasion, forgot not the harsh treatment its citizens had experienced from him, on account of Constantine's riot, and, though it had remained in respectful silence while he was in favour with his prince, took the first opportunity of his fall to join in the general cry, and hunt him to destruction. In fine, had Hubert been as innocent as he was an obnoxious minister, it would have been impossible to have stemmed the current of popular clamour which now bore upon him from all quarters; he therefore retired to the monastery of Merton, having obtained, with difficulty, a respite from the beginning of August to the fourteenth of September, for preparing his answer to the accusations exhibited against him.

When the parliament met (on the fourteenth of September), after granting the king an aid of the fortieth part of the moveables of the whole realm, for the payment of the debt he had incurred with the earl of Brittany, the lords petitioned that Hubert de Burgh might be called upon to put in his answer to his impeachment. He was accordingly summoned to appear, but did not chuse to quit the sanctuary where he had taken refuge, till the king and his new ministry should seem disposed to give him a patient and equitable hearing.

This refusal of Hubert's inflamed the king with rage, who instantly sent his orders to the mayor of London to bring him alive or dead. The citizens immediately put themselves in readiness to obey a mandate which afforded them so agreeable an opportunity to glut their revenge, and were actually on the road to Hubert's asylum, to the number of some thousands, armed with staves, spears, and other offensive weapons, when a new order came from the king, revoking the former; and the citizens, disappointed in their hopes, were obliged to return, though not without great murmuring. This change in Henry's resolution had been effected by the prudent remonstrances of the earl of Chester, who, though no friend to the fallen favourite, was against putting the execution of justice into the hands of an insolent rabble, as a bad precedent on future occasions.

Of all the court-insects who had fluttered in the sunshine of Hubert's power, not one continued with him in this winter of his greatness. The archbishop of Dublin alone remained his friend, and ventured to speak in his behalf: by his solicitations he obtained of the king that he would grant Hubert a longer time to prepare his answer, which was accordingly extended to the middle of January ensuing. Hubert, thinking his person secure in virtue of this indulgence, ventured out of his sanctuary on a visit to his wife at St. Edmundsbury, which coming to the king's ears, he dispatched

one Geoffrey Cracombe, at the head of three hundred men, to bring him prisoner to London.

They found the justiciary in the chapel of Brentwood (in Essex, whither he had retired on notice of the pursuit), with a cross in one hand, and the host (or consecrated wafer) in the other; but these being forcibly wrested from him, he was dragged from the chapel, insulted grossly, and his feet being chained under an horse's belly, he was in that ignominious manner conducted to the Tower of London.

All churches, as well as what belonged to them, being in those days so many sanctuaries, not to be violated with impunity, the king's attempt alarmed the whole body of the clergy: the bishop of London was no sooner informed of the matter, but he went to the king, and declared he would excommunicate all those that directly or indirectly were concerned in the late breach of the church's privileges. Henry trembled at these threats, and ordered Hubert to be sent back to the chapel from whence he had been forced; but at the same time sent an order to the sheriffs of Hertfordshire and Essex, upon pain of being hanged, to guard the chapel so strictly, that the prisoner might neither escape, nor receive sustenance from any person.

This severity at length obliged the earl to surrender himself to the king's pleasure concerning his body, lands, and goods, at the same time offering to deliver up a large sum which he had lodged in the hands of the great-master of the Temple. The needy king found his heart mollified by the prospect of the treasure; and, when the bishop of Winchester urged, that his having saved so great a sum of money was a corroborating proof of his corrupt administration, Henry replied, that his character would for ever suffer with the world for barbarity and ingratitude, should he put to death a man who had done so many signal services to his family and himself. Accordingly the king respited judgment against him, and voluntarily granted him these terms:

"That, having delivered to the king all the lands, tenements, and liberties which he held of him in capite, and of king John, his father, and all writings and instruments that concerned them, then he should have and retain the lands and tenements which descended to him from his ancestors, and all the lands and tenements he held of others than the king; yet so as he should answer to all his other accusers, according to the custom of the kingdom; and all his chattels, wheresoever they were, as well gold, silver, money, or other goods; and his body to remain at the castle of the Devizes (in Wiltshire), in the custody of Richard, earl of Cornwall; William, earl of Warren; Richard, earl-marshal and Pembroke; and John, earl of Lincoln; until he was delivered by the common council of the king, and of all the aforesaid barons his keepers, and of all the great men of the land; and if he should by any means break, or endeavour to break prison, then the judgment was to take effect, and wheresoever or by whomsoever he should be found, he was to be used as an outlaw*."

by that disaster, was forced to depart the kingdom. These were services of the highest importance to his country: yet he did not acquire more glory by the bravery and capacity he shewed in his military commands, than he deserved the esteem of the world by his justice and integrity in the civil posts which he filled, of chief-justiciary, from about two years before the death of John; and of guardian of the realm from the decease of William, earl Mareschall! asserting on all occa-

sions the rights of the crown, as well against the encroachments of the court of Rome, as against the usurpations of the most potent of the English nobility, who had seized on its castles and demesnes. See Mat. Paris. Dugdale's Baronage. Carte's Hist. of Eng. &c.

* See the public records, as recited by Brady, p. 552, 553. Ann. Castrenf. Chron. Dunst. Matt. Paris, and Leland's Collect.

Thus

Thus ended this affair, which had made so much noise, to the no small disappointment and vexation of the bishop of Winchester, who expected, and indeed exerted all his endeavours, that Hubert should be brought to an ignominious death, which, perhaps, might have been the case, had not the earl of Chester died about this time, who was as much an enemy to Hubert as the bishop, though he disapproved of the illegal methods this latter advised the king to take to destroy him.

By the death of the earl of Chester without issue, that earldom came to his nephew John, son to earl David, brother to the king of Scotland, and the earldom of Lincoln, which he also possessed, to John de Lacy, another of his nephews.

The bishop of Winchester, having thus destroyed the interest of Hubert, and engrossed the entire confidence of his master, persuaded the king to pursue such measures as could not fail to expose him to the hatred and resentment of the nation, and at last involved him in the same disgrace which he had now brought upon his rival.

He began by persuading Henry, that very few of his nobility were well affected to his government; and that he could never hope to reign with freedom while they possessed the great offices of the kingdom; he therefore counselled him to reduce their power by degrees, by taking from them their lucrative posts and governments, which might be bestowed upon foreigners, who would always be devoted to the will of the crown.

Henry, who, if he had any permanent passion, indulged that for arbitrary rule, believed his suggestions, and followed his advice; for, in the beginning of the ensuing year, 1233, he deprived Walter, bishop of Carlisle, of the office of high-treasurer, in a very disgraceful manner, and also took from him several other places, which he had obtained by letters patent for life: at the same time he affronted Richard, earl-marshal, by displacing sir William de Rodune, his lieutenant in that office and knight-marshal of the household.

In a little time above two thousand knights arrived in England from Gascony and Poictiers, the native county of the bishop and his nephew, Peter Rivaulx, at whose invitation they flocked over to share the spoils taken from the English barons, who could not be supposed to part with them heartily. They were now entrusted with the wardship of minors, by which they procured advantageous matches, to the prejudice of the natives.

These proceedings, so disgusting in their very appearance, could not be long continued without producing a general spirit of discontent in the kingdom, which, however, was only considered by Henry as a farther confirmation of those rebellious dispositions with which Winchester had charged the English nobility. All access to the king was precluded by the ministry; but this only served to increase the flame, and not all the arts of the court could efface the memory of the Great Charter out of English minds.

At last the barons, whose patience was entirely exhausted by the injuries and insults they daily received from these insolent foreigners, formed themselves into a body, and put the earl-marshal at their head, who waited on the king in their name, to lay their grievances, and those of the nation, before him; and humbly besought him, that he would no longer continue to lavish his favours,

and bestow all his confidence, upon strangers, to the neglect of his natural subjects; concluding, that if he continued deaf to this advice, he and the other nobility should think it their duty to withdraw themselves from his councils so long as they were influenced by aliens.

Winchester, who was present at the earl's audience, did not give the king time to reply, but, with unparralleled effrontery, made answer, "That it was the highest degree of insolence in the earl, or any other subject, to presume to dictate to majesty on whom it should confer its favours: that both the king and his father had been so ill served by the English, that trusting foreigners was the only expedient he had left for his own safety; adding, that if the foreigners already in the kingdom were not sufficient to reduce his rebellious subjects to their duty, a greater number should be sent for." This answer, which at once betrayed the minister's arrogance, and his gross ignorance of the English constitution, history, and manners, caused a general discontent among the barons: from thenceforward they began to withdraw from court, and entered into a confederacy to check the despotic power the king was assuming, by the violent counsels of his worthless ministers.

The bishop, to gain time, advised his master to call a parliament at London, and summon the barons, who had withdrawn themselves, to attend thereat. This was accordingly done, and Midsummer was the time appointed for opening the sessions. But the nobles refusing to expose themselves to the insults and treachery of perfidious foreigners, who swarmed in arms all over the kingdom, and were ready to execute the commands of a wicked and designing minister, on whom they depended for all their present, and hopes of future fortune, the court issued a second and a third citation, accompanied with fair promises, that their grievances should be redressed: but well knowing that this was only a trap to ensnare them, they sent a deputation to the king, insisting, as a preliminary to their attendance, that he should banish the bishop of Winchester, and all foreigners, from his presence and councils; subjoining this declaration, that if he persisted in retaining such persons about him, and to be guided by their councils, they should treat about placing another prince upon the throne, who should better observe the laws of the realm.

So formal a declaration struck a panic into the weak heart of Henry; but the bishop was ready at hand to dispel his apprehensions, by exaggerating his own military talents, and the valour of his countrymen the Poictevins, with whom he undertook to subdue those insolent rebels, who had dared to treat their sovereign with such indignity.

It must be confessed, that this was a rash and unwarrantable step in the barons, and directly contrary to the tenor of the Great Charter, and reverted to their own confusion, by giving the minister the most plausible handle he could wish, to exasperate the king against them; and, indeed, it seems to have been the opinion of some of the chief men in the confederacy, that they had gone too far; for we find that several of them soon afterwards deserted the association, and renewed their allegiance to the crown: of these the principal were the earl of Cornwall, brother to the king, and the earl of Chester. The defection of two such powerful noblemen from the discontented party, swelled

the insolence of the minister beyond all bounds, who, thinking he had nothing to fear from those who remained behind, used all his endeavours to persuade Henry who was wholly under his guidance, to use the most violent methods to enforce an obedience to the royal authority.

This wicked and pernicious advice was but too readily followed: Gilbert de Basset, a friend and intimate of the earl-marshal, having been illegally deprived of a manor, and applying to Henry for redress, was insulted with the appellation of traitor, and ordered to quit the court on pain of being hanged: and his brother-in-law, Richard Siward, was imprisoned, for having married without the king's licence; and all the suspected noblemen were commanded to give hostages for their peaceable behaviour.

A parliament being summoned to meet at London, on the first of August, the barons attended, with an armed force for their security; but the earl-marshal, having received intelligence from his sister, the countess of Cornwall, of a design against his life, retired into Wales, where he entered into an association with Llewellyn, and other great men of that country, for their mutual protection and security.

The parliament proceeded very heavily in their business; it seems as if the reconciled noblemen were not very ready in concurring with the violent measures of the ministry: the sessions broke up without coming to any resolutions. Winchester and Segrave, however, were resolved not to be hindered in their plan, and therefore got the king to summon all his military tenants to meet him in arms at Gloucester, the latter end of the month. The earl-marshal not obeying this summons (as it was foreseen he would not) it gave the ministry an handle to proscribe him and his adherents as traitors, and the king fell with his troops into their estates, burning their towns, demolishing their castles, and bestowing their lands on his Poictevin soldiers.

All this was done without any parliamentary sanction, or the judgment of the peers proscribed; and the king, continuing his arbitrary proceedings, advanced to Hereford, where the earl lay upon the defensive; and having received a fresh supply of Flemings from abroad, under the command of Baldwin, count de Guines, he proceeded to lay siege to the earl's castles; but finding an obstinate resistance, he despaired of succeeding by force, and therefore had recourse to artifice, by promising the marshal (Winchester and Segrave at the same time binding themselves as sureties for the king's performance of his word) that if the castles were delivered up to him, he would restore them in fifteen days, and also that he would consent to the earl's laying his grievances before the parliament, which was to resume its sessions on the ninth of October, and that he would stand to its award. Upon these terms the earl consented to deliver up the castles; but Henry, having garrisoned them with his own people, made a mock of his credulity, and returned to London, nor were the castles restored until the marshal retook them by force.

The sword being again drawn on both sides, the king summoned his military tenants to meet him in arms, on the day after All Saints; and putting himself at their head, marched into Wales;

but the earl, who had expected this visit, had taken the precaution to destroy all the country on the borders of Wales, through which Henry was to march; so that this thoughtless prince soon found himself and his troops exposed to wants of every kind: upon this he changed his route, marching into Monmouthshire, to provide subsistence for his army.

During these transactions, Hubert de Burgh, who was still prisoner in the castle of the Devizes, received intelligence from his old friend the archbishop of Dublin, that his mortal enemy, Peter de Roches, who could not be easy whilst he was living, had laid a plot to have him murdered; and with that view had begged of Henry that the custody of the castle and the prisoner might be entrusted to him. The danger was imminent, nor had the unhappy captive any prospect of escaping it, if he continued in the place: in this exigence he imparted the secret to two of his keepers, whom he had observed to appear the most affected with his misfortunes; one of these taking him, fettered as he was, upon his back, while the other was on the watch, carried him privately out of the castle to the parish-church, and there laid him down before the altar. But the wardens of the castle having quickly found out the place of his refuge, repaired thither with a party of soldiers, and, after having cruelly beat and misused him, conducted him back to the place of his confinement.

The bishop of Salisbury, in whose diocese this outrage was committed, being informed of this glaring violation of the privileges of the church, ordered those concerned in it to carry the prisoner back to the church, on pain of excommunication. The governor refusing, the bishop excommunicated the whole garrison; and being joined by the bishop of London and other prelates, they prevailed with Henry to send orders for his being carried back to his sanctuary; which was accordingly done, but at the same time the church, by the king's orders, was surrounded by a strong guard, so that the earl would soon have been starved to death, had he not been rescued by Richard Siward, with a party of armed friends, with whom he retired into Wales, and joined the earl of Pembroke.

This nobleman being informed that Henry and his principal officers had taken up their quarters in the castle of Grosmont, whilst his troops were encamped in the open plain, attacked them in the night with such fury and impetuosity, that the whole army was presently put to the rout. This accident so confounded the king, who lost on the occasion five or six hundred horses and almost all his baggage, that he immediately retired to Gloucester, but left John of Monmouth and Ralph de Thorney to stop the progress of the enemy.

Upon the king's drawing off, Pembroke undertook the siege of Monmouth, which was defended by Baldwin de Guines, a Flemish partisan of great military reputation, who laid an ambush for the earl, and actually took him prisoner, as he, with a few followers, was reconnoitring the place; but, luckily for the earl, Baldwin was mortally wounded with an arrow as he was conducting his prisoner to the castle: his troops halting in consequence of this accident, a party of Pembroke's forces came up, and not only delivered their general, but either slew or took prisoners the whole party that had sallied from the castle.

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The marshal now continued his progress, and over-ran all the country as far as Shrewsbury, which town he burnt; whilst the king, who was still at Gloucester, where he kept his Christmas, durst not take the field. As soon as the earl had quitted that part of the country, which was not till the February of the ensuing year, 1234, Henry, not thinking himself safe in Gloucester, retired to Winchester, where he shut himself up, leaving the counties on the borders of the Severn to the mercy of the enemy. Those of his counsellors who had any access to his person, advised him to make an accommodation with the earl, but the bishop of Winchester dissuaded him from it, unless that nobleman would throw himself at his feet and own himself a traitor; terms that the prelate well knew the noble blood of Strongbow would never submit to. Henry next endeavoured to cajole the clergy to excommunicate the earl-marshal as a traitor to his king and country, for having appeared in arms against his sovereign, and having forcibly retaken his castles that he had delivered into the king's custody; but the bishops absolutely refused to comply with this request; adding, that it would be highly unjust to censure a man for recovering his own property, which had been fraudulently kept from him, and in violation of the most solemn oaths.

Henry, finding it impossible to ruin the earl by private intrigue or open force, began to entertain serious thoughts of a reconciliation; but the base Winchester had an expedient to rid himself and his master of this troublesome subject, which, however, on account of its unparalleled treachery, he did not dare to communicate to Henry, who, though weak and easily misguided, does not seem to have had an heart formed for black or villainous undertakings.

As the council consisted wholly of his own creatures, Peter found no difficulty to engage them in any means that he thought proper to propose, for the accomplishing his designs; he therefore wrote letters in the king's name, though without his knowledge or consent, and getting him to put his seal to them as papers of common business only, the contents of which Henry seldom examined, sent them to Maurice Fitz Gerald, the justiciary, and others of Henry's officers in Ireland. These letters, which were also signed by twelve of the privy-counsellors, contained orders to fall upon and plunder the lands and estates of Richard, earl-marshal, who, as a traitor to his country, by taking arms against his sovereign, had been deprived, by sentence of the king's court in England, of all his honours and possessions; commanding them, at the same time, if he came to Ireland, to seize him, dead or alive; promising them that, if they duly and effectually performed their duty in this case, they should be indulged with a grant of all his lands in that country, to be divided amongst them, and enjoyed by way of inheritance.

The governors of Ireland, allured by such a bait, promised to use their utmost endeavours to content the king, whom they naturally supposed to be privy to this order. Winchester, that nothing might be wanting to complete this scene of villainy and deceit, had found means to steal the great-seal from the bishop of Chichester, then chancellor, which he put to a grant for dividing all the earl-marshal's estates among the government's officers in Ireland; who, having got this in their

possession, began to execute the orders by wasting the lands of the earl in that country.

This expedient fully answered the purposes Winchester expected from it. The earl immediately set out for Ireland, accompanied only with fifteen knights; and at his landing was received by Geoffrey de Marisco, one of the governors (who was likewise his vassal), with all the exterior marks of zeal and attachment, but with a real design of betraying him to his enemies.

Richard, taking the field to recover some of his castles which had been seized in his absence, was drawn into a parley with some of the colleagues of Winchester and Marisco (who had been the great instrument of the former in corrupting the others), and being deserted by Geoffrey and all his followers, except the few knights that had attended him from Wales, he received a mortal stab in the back with a poignard, of which he languished about a fortnight, and died on the fourteenth of April.

Thus fell, by treachery, the most deserving nobleman of England, to the universal regret of all honest men, by whom he was revered for his virtue, probity, valour, and capacity.

The time, however, now approached for the fall of that infamous set of ministers, who had, since the disgrace of Hubert de Burgh, exercised their power in the most illegal, odious, arbitrary, and oppressive manner. The removal of this nest of vipers, who had defied the utmost efforts of public clamour, was reserved for the clergy, who, in order to avert the mischievous consequences that must have attended the mal-practices of this wicked ministry, resolved to exert themselves in behalf of their country.

Edmund, the new archbishop of Canterbury, taking with him his suffragans, demanded an audience of the king, which Henry could not refuse. At this interview the honest prelate laid before the king, in the most pathetic manner, the ruinous measures to which he had been instigated by his ministers. He formally accused Peter, bishop of Winchester, as the author of those pernicious counsels which had diffused a spirit of discontent throughout the whole nation; and, after a detail of the grievances of the kingdom, insisted that he should remove from his counsels a minister so odious to all his subjects, or else that he and his suffragans would excommunicate him and all who opposed so necessary a reformation.

This spirited remonstrance, and in particular the menace couched in the close of it, startled Henry; he desired a little time to consider of what he had to do, and dismissed the archbishop and his suffragans with assurances that they should see the peace of the realm soon restored.

The parliament meeting at Westminster, on the ninth of April, archbishop Edmund renewed his late remonstrance with greater authority, and with all the success he, and every true lover of their country, could desire. Henry's eyes appeared to be opened, and he promised wholly to reform his conduct: as an earnest of this happy change, he sent his orders to the bishop of Winchester to retire immediately to his diocese. The disgrace of the prime minister was followed by that of Peter Rivaulx, the treasurer, Segrave, the justiciary, Pasfilau, and all the rest of the foreign favourites, who had been promoted by the bishop of Winchester to the principal posts of the state, and, under him,

had

had so long engrossed the ear of their deluded sovereign. At the same time they were ordered to give an account of their management, and of all the money that had passed through their hands. The English noblemen and prelates were now restored to their seats in the council: and the archbishop of Canterbury and the bishops of Lichfield and Rochester were dispatched immediately into Wales to treat with the earl-marshal and Llewellyn; and Henry himself removed from London to Gloucester, that he might be nearer at hand to forward their negotiation. In his way thither he heard the news of the earl's death (though without knowing as yet the cause); and soon after his arrival received the terms on which Llewellyn was ready to agree with him, the preliminary article of which was, that he should be reconciled to the exiled noblemen, who had taken shelter in that prince's territories. These were accordingly invited, with a full assurance of pardon, to come to court, on the twenty-eighth of May, the archbishop and prelates binding themselves as pledges for their safety.

Henry received them all with kindness, but distinguished Hubert de Burgh with all the marks of tenderness; and, on the eighth of June, a proclamation was published by the sheriffs, throughout the kingdom, in consequence of the royal mandate, declaring the out-lawries denounced against them to be null and void, as contrary to the law of the land and right justice. Hubert recovered his honours and estate with his master's favour; Gilbert Basset and Richard Siward were restored to their rights, and all of them made privy-counsellors. Gilbert, brother to the late earl-marshal, was reinvested with all the lands to which he was heir, both in England and Ireland; and, on Whit-sunday, Henry, having first knighted him, delivered him the staff of marshal with great solemnity, in a parliament held on the occasion at Worcester.

It was at this assembly that Edmund, archbishop of Canterbury, produced copies of the letters and forgeries which had been contrived, written, and sealed for the destruction of the earl of Pembroke; and the whole audience was filled with horror and resentment, when they heard them recited; but no one appeared more deeply affected than Henry, who shed tears of grief and indignation at the loss of so valuable a subject, and the villainous abuse made of his authority by those wretches, whom he had fostered in his bosom. As the only reparation in his power to the manes of the murdered Pembroke, he gave orders to summon the perfidious authors of his death to appear in court at Midsummer, and answer to this and other charges of maladministration.

The day appointed being come, the delinquents, conscious of their own guilt, took sanctuary in churches, under pretence of being apprehensive of some violence from their enemies; but this excuse was immediately over-ruled by the king's granting them a safe-conduct. Peter de Rivaulx, who appeared first, behaved in so indecent a manner, that the king, unable to bear his insolence, ordered him to the Tower. He remained there, however, but three days, being, by the archbishop's advice,

sent back to his sanctuary. Segrave, besides the other articles of his charge, was accused by Henry of having advised him to put to death Hubert de Burgh, and to banish the nobility. He and Passilau, treasurer of the Exchequer, endeavoured to palliate their offences by alleging they only conformed to the direction of their superiors: they were fined a thousand marks each; and Segrave was obliged to restore several manors that had been given him by the crown. Peter, bishop of Winchester, the soul and director of this mongrel ministry, sheltered himself under his sacerdotal character, and continued at his cathedral, from whence it was not thought proper to force him. In a short time afterwards he was sent for by the pope, to command his troops against the people of Rome, who were in arms against him.

The office of justiciary was bestowed upon Hugh de Pateshul, in the room of Segrave, who, together with Passilau, were, about the latter end of the following year, released from their confinement, and discharged from all farther prosecution on paying a thousand marks each into the king's treasury.

In the year 1235, a match was proposed between Henry and the daughter of the count of Provence, which, however, did not take place till the ensuing year. We find likewise that this year a truce was treated of, between the English and French, which met with some obstacles by the opposition of the count de la Marche, who insisted upon the Isle of Oleron being put into his possession, in which demand he was upheld by the French king. Mr. Rymer, in his Collection, says, that this year Henry gave the king of Man and the Isles, forty marks, an hundred measures of corn, and five hogsheds of wine, for taking care of the sea-coasts of Ireland lying over-against his territories. A new accommodation was likewise set on foot between Henry and Alexander, king of Scotland, who, with his queen, came to visit Henry at London, where they were magnificently received. This account, trivial as it is, contains the whole transactions of the year 1235.

Early in 1236, Henry consummated his marriage with Eleanor, the daughter of Raymond Berenger, count of Provence. The nuptials were celebrated with all the pomp and magnificence that age could display. The solemnity of the wedding and coronation* of the new queen being over, the king called a parliament at Merton, in which several regulations were made for the public good: these are known by the title of the Statutes of Merton, and the reader will find them at large in their proper place†.

Nor were these regulations the only instances Henry and his new council gave of their prudence and attention to the public welfare; for the emperor having sent over ambassadors to solicit that Richard, earl of Cornwall, might be sent over to him, at the head of a body of troops, to assist in attacking France (though on what grounds history does not mention), the request was rejected by the advice of the nobility, who thought it would be the height of rashness to send out of the realm,

* Mathew Paris has given us a very particular description of the coronation, and what each person performed in their respective functions, among which is this remarkable passage, that the earl of Chester (as lord high-constable), carried the sword of St. Edward, called curteine, or curtana, before the king, in token "that he is the earl of the palace, and hath,

by right, a power of restraining the king if he should act amiss; and that the same earl, as high-constable of England, carried in his other hand a rod (or wand), by which he kept off the encroachments of the people." Mat. Paris, p. 420.

† Under the head of Laws, at the end of the period now under consideration.

and expose to the dangers of war, a prince as yet very young, and presumptive heir of the crown.

Immediately after the departure of the imperial ambassadors, the truce, which was now far advanced, with the court of France, was sworn to by both parties, to continue for five years; the count de la Marche being, on this occasion, gratified by Henry with an annuity of eight hundred livres, in lieu of the Isle of Oleron, to which he had laid claim.

On the sixth of March this year a commission was appointed for settling certain differences between the court and Llewellyn, prince of Wales, and the truce renewed for one year.

Ever since the last change of ministry, matters had gone on with great harmony under a truly English administration; but Henry, who was of a fluctuating disposition, forgetting the difficulties in which he had been involved by admitting foreigners into his confidence and counsels, soon relapsed into the same error, and his barons as quickly manifested their zeal for the public good, and their determined purpose to maintain their own dignity and importance.

William de Savoye, bishop of Valence, and uncle to the new queen, had been very active in forwarding the match between the king and Eleanor, and, on her coming over hither, had attended her with a train of three hundred horsemen. The near relation he bore to the queen, of whom Henry was weakly fond, soon recommended him to the favour of that prince, who took all occasions of shewing him a distinguished preference over the greatest and most faithful of his own subjects: in a word, Henry resigned himself to the guidance of this new favourite, who managed all the affairs of the state by his sole direction.

The English nobility presently took the alarm; they dreaded the revival of the late times of ministerial insolence and oppression, and determined, one and all, to exert their utmost endeavours to stop this foreign minion in the beginning of his career. Accordingly they presented several dutiful and respectful addresses to the king, remonstrating at the same time with a becoming spirit against those measures which they apprehended to be destructive of the public interest, and that union which should ever subsist between an English king and his subjects. Henry, who had lately had a specimen of their resolution, thought on this occasion to be even with them, by appointing a parliament to be held in the Tower, where he might overawe their deliberations, and terrify the most refractory at least into a silent compliance with his measures; but here he found himself greatly deceived in the persons he had to deal with: the prelates and nobles absolutely refused to attend him there, as being contrary to the usual custom. The king had sense enough this time to comply with his people; he came from the Tower to his palace at Westminster, and affairs were transacted in the usual manner.

At this sessions the office of sheriffs, which had for a long time been exercised with great oppression to the lower people, was now reformed; a new set of sheriffs were appointed throughout the kingdom, who were, before their entering upon their office, to take an oath, "That they would re-

ceive no retributions either in goods or money, and that whatever they received in meat or drink, should be moderate, and so as not to oppress the subject."

Before the dismissal of this parliament, an embassy arrived from Alexander, king of Scotland, demanding the counties of Northumberland, Cumberland, and Westmoreland, as lands which had been dismembered from his family; but this affair, as usual, was put off till a farther day.

Foreign influence began now to grow every day more prevalent at court. Valence, who had taken a dislike to the English barons, for their late spirited remonstrance, spared no pains to make them suspected by the king, and to remove the most active of them from about his person and councils. Ralph Fitz Nicholas, steward of the household, was put out of his post, and many other officers of the crown were displaced in the like arbitrary manner, without the least pretence of a crime alleged against them. The king was also persuaded to demand the seals from the bishop of Chichester, who had filled his high station of chancellor with the most unblemished integrity: when this prelate received the king's message, he replied, with a becoming boldness, "That having received his office from the parliament, he would resign it by the order of that assembly alone."

This reply, which would have opened the eyes of any king less infatuated than Henry, only seemed to precipitate him into measures more odious to his people. He now recalled the traitors Rivaulx, Segrave, and Passilau to court, as the most proper instruments of extortion to fill the coffers of his Exchequer, which he had by this time almost drained, by exorbitant grants to Valence and others of the queen's foreign relations. The custody of the castle of Bristol, and of Eleanor of Brittany, who had been so long confined there†, was now taken from William Talbot, and committed to Valence.

This year the king held a meeting at York with Alexander, king of Scotland, who now insisted strenuously upon being put into immediate possession of the disputed counties, in virtue of the repeated promises he had received on this head from John, the king's father, for the truth of which he appealed to several noblemen present at the conference, and who had been guarantees for the performance of the late king's word. Henry, finding the Scot thus peremptory, and fearing that he might be assisted by Llewellyn, thought proper to compromise the matter by giving Alexander a pension of two hundred pounds a year, in consideration of which the latter renounced his claim, and did homage and fealty to Henry.

The ordinary revenue of the crown proving insufficient to supply the wants and satiate the greediness of that shoal of foreigners who had come over with the queen, Henry found himself obliged to call a parliament at Westminster*, to procure a supply of money from his people. The twentieth of January, 1237, was the day appointed for the meeting of this assembly, and an infinite number of nobility attended, expecting some weighty matters to be proposed as the subject of their deliberations; but they were quickly undeceived by a speech from the throne†, in which they were told,

† Ever since the year 1202. See p. 326, of this History.

* By his writs, which are the first mentioned by historians. Matth. Paris, p. 435.

† Delivered, according to Matth. Paris, by one William Keile, a clerk, and one of the king's domestics, who seems to have acted as speaker on this occasion.

“That the chief reason of their being called together, was to desire them to grant an aid, which should be collected and disposed of, for the necessary uses of the state, by such persons as they should think proper to commission for that purpose.” At the same time the king expressed his firm resolves to be entirely directed by the advice of his natural subjects in time to come.

The barons, who well knew the nature of Henry's promises on such occasions, did not easily swallow the bait: they made answer, “That they had often granted the king aids, without receiving any marks of his affection: that, since his accession to the throne, his dominions were considerably lessened, though he had frequently exacted from his subjects very large sums, which had been only lavished away upon foreign favourites, to the impoverishing of the state and the disgrace of his own character.” To this vigorous reply Henry pleaded the expences of his own and his sister's marriage, which had entirely exhausted his treasury; but if they would grant him a thirtieth part of their moveables, he promised, upon his honour, never to injure or oppress any baron of the realm.” In order to facilitate their compliance, he disavowed the pope's bull, touching the resumption of grants, which his ministry had lately obtained; declared he would inviolably observe the liberties of Magna Charta; and ordered a sentence of excommunication to be solemnly denounced against all persons (himself not excepted) who should presume to violate that sacred constitution.

The parliament, mollified by these assurances, and the admission of some English noblemen into the council, complied with his demand so far as to grant an aid of one thirtieth upon all moveables, except money, plate, houses, arms, utensils of husbandry, and the chattels of prebends and parish-churches: but this tax was to be deposited in certain abbeys, churches, and castles, as a fund sacred to the necessities of the state; and this express condition was tacked to the grant for levying it, “That the king should no longer hearken to the suggestions of foreigners, who had oppressed and impoverished the nation, but be governed for the future by the advice of his own natural-born subjects †.”

But no sooner had Henry cajoled his parliament into granting this supply, than he returned to his former measures, shewed as much fondness for fo-

reigners as ever, and, to secure himself a party against the credit of the great noblemen, he, with a meanness never to be forgiven, applied to the pope to send over a legate to England, under whose protection he thought he might securely violate the late engagements necessity had compelled him to enter into with his people. Cardinal Otho was the person pitched upon by the pope as his legate, in which character he arrived here about the middle of July. His presence gave a great alarm to the prelates and nobility, who plainly saw through Henry's intention in this step; and the clergy in particular, who had every thing to fear from the fleecing disposition of the court of Rome, so repeatedly manifested in the conduct of its legates, prevailed on the archbishop of Canterbury to expostulate warmly with the king for suffering a legate to come into the kingdom without any apparent necessity, and without the knowledge of the clergy and parliament. Henry lent a deaf ear to their remonstrances; and, having now, as he thought, a sufficient screen to stand between him and his discontented subjects, he caused the money that had been collected, to be rapaciously seized, and squandered it as profusely as ever upon strangers and favourites, insomuch that his own brother, the earl of Cornwall, at the head of the nobility, demanding an audience of him, openly upbraided him with this breach of faith and honour.

Henry was then in the hands of John, earl of Lincoln, one friar Geoffrey, a Templar, and Simon Montfort. The two first, indeed, were Englishmen, but their mean compliance with the king's will rather flattered his inclination for foreigners. Simon Montfort was a promising French young gentleman, third son to the earl of Montfort, who, on account of some dispute in his own country, had come over hither to make his fortune.

The late convention with the king of Scotland not having been yet ratified, Henry found it necessary to have an interview with Alexander this year at York, in which every thing was fully settled to the satisfaction of both parties. Otho, the legate, whose views were not confined to England only, took occasion of this interview to give the king of Scotland to understand, that he intended shortly to pay a visit to his dominions; but Alexander told him plainly, “that he had never yet seen a legate in his kingdom, either in his father's time or his own, neither would he permit any person with that character to set his foot there if he could

† M. Paris informs us, that when the proposal for this tax came to be considered in parliament, the barons quitted the assembly, and retired apart to consult by themselves; that the Magnates, or great barons, continued their deliberations in the presence of the king; and that the prelates and clergy were the first who gave their assent; from whence it should seem to follow, that they likewise consulted by themselves.

To these observations on the method of granting taxes, it may not be improper to subjoin (from the same author) a few reflections concerning the constitution of this parliament, which was extremely full and numerous. The constituent members of it seem to have been, 1. The prelates, or lords spiritual, and the clergy. 2. The Magnates, or great barons, summoned by special writ. And 3. The ordinary barons, summoned in general by the sheriff's proclamation.

These last are what M. Paris means by the Nobiles, under which appellation were comprehended all the gentry in general, as well those who had no titles, as those who had; all such as had received the honour of knighthood, and were therefore styled knights, and such as held a knight's fee, though they had not received that honour, and were then distinguished by the name of freeholders.

There are still preserved in the Tower of London some writs,

issued during this reign, for the choice of two knights in each shire, to represent their county in parliament; but this method of representation was not yet grown into a settled custom; and though there are no summons either to lords or commons, nor any rolls of this parliament to be found in our ancient repositories, yet we may easily gather, from other quarters, that the lesser barons, knights, and military tenants were summoned to appear, not by representation, but in their own persons.

M. Paris, in order to give us some idea of the immense numbers of gentry that assembled on this occasion, uses the following words: “Infinita nobilium multitudo, scilicet totalis regni universitas.”

It is plain from this expression, as well as from many other particulars, that the boroughs had as yet no representatives; and this is further confirmed by the form of the writs which were issued for levying this subsidy: in one of these it is expressly said, that the prelates, earls, and barons, assembled on the eve of St. Hilary, had granted the king a thirtieth of all their moveables; and the other declares, that the prelates, earls, barons, and freeholders had granted a thirtieth for themselves, and their villains: i. e. their copyholders and tenants. Carte, tom ii. p. 62.

prevent it;" adding moreover, "that he was not so absolute over his own subjects as to answer for their conduct, therefore, if the legate should persist in his resolution, he must take the consequences, if the people, fierce and ungovernable, should fail in their respect due to the pope's envoy." This resolute answer made Otho soon alter his mind, and he determined to stay with the English king, whom he found more obsequious.

John, earl of Chester, dying this year without issue, the king annexed that earldom to the crown, paying to the earl's sisters, who were his coheiresses, an equivalent to the revenues in money.

In the beginning of the year 1238, Henry bestowed his sister, the countess dowager of Pembroke, upon his favourite, Simon Montfort. As the court rightly considered, that this match would give umbrage to the great nobility, the king caused them to be privately married in his own chapel. The earl of Cornwall no sooner was informed of this transaction, than he went to the king, and reproached him to his face with his breach of faith, in having made up this match without the consent of the great men of the kingdom, after he had solemnly engaged not to do any thing of considerable moment without their advice and concurrence. Henry could only answer, that it was too late now to be remedied, as the princess was married, and the wedding had been consummated. This excuse, however, would not go down with the nobility, who, in conjunction with the clergy, were continually pushing to have this marriage dissolved. Montfort, perceiving that the association against him became every day stronger, to prevent accidents, made a journey in person to Rome, at which court every thing was venal, and, by the poper application of a handsome sum, he obtained a letter from the pope to the legate, confirming his marriage; with which he immediately returned to England, where he was received with open arms by the infatuated Henry and his minions, who considered this success as a kind of triumph over the English party, and he was by the king created earl of Leicester.

Soon after, the legate set out on a visitation towards the North of England: on his arrival at Oxford, he was received by the university with all the respect due to his character; but one of his Italian domestics, and a kinsman of his own, having grossly insulted a student, a fray arose, in which the legate's retinue were severely handled; and Otho, apprehending that the resentment of the scholars might extend even to his own person, fled to the monastery of Abingdon, from whence he sent grievous complaints to the king of the usage he had met with from the Oxonians. Henry, whose interest it was to support the authority of the legate, instantly dispatched the earl of Warrenne, with a party of guards, with orders to seize the offenders. Thirty of the scholars were apprehended, and confined in Wallingford castle; while Otho, not yet satisfied, laid the university under an interdict, and excommunicated all those who had been concerned in the late riot; but, at the intercession of the bishops, he was persuaded to remove the censures, on condition that the scholars should walk bare-footed and bare-headed to his lodgings, and there humbly crave pardon and absolution.

About this time Henry disobliged the pope in a sensible manner, by sending succours to the em-

peror Frederic II. who was then at open enmity with the court of Rome; but an incident soon happened, which gave Gregory an opportunity of shewing his resentment, and Henry his weakness: Peter de Roches, the bishop of Winchester, dying on the ninth of July, Henry, who ardently wished to procure this rich see for the bishop of Valence, strongly recommended him to the monks for their election; but the monks refused to comply with his request, and made choice of William de Raleigh, and Ralph Neville, bishop of Chichester and the king's chancellor, prelates equally eminent for their piety and learning, and against whom it was not supposed the court could have any objection. Henry, however, was so highly incensed against the monks for their having rejected the person of his nomination, that he deprived the bishop of Chichester of the seals, and removed Raleigh from his seat in council. At the same time he wrote to the pope to favour the cause of Valence, but in vain; the haughty pontiff sent him for answer, that the election must take its course: Henry therefore found himself obliged to send ambassadors to the court of Rome, to make up matters with Gregory and persuade him to annul both elections: the golden oratory of the ambassadors prevailed over Gregory's resentment; he declared the see still vacant, and appointed a new prior in the convent, who at last procured a majority of his brethren in favour of William de Valence.

This warlike prelate had gone abroad with Henry Tuberville, who commanded the English forces sent to the assistance of the emperor; and during his stay abroad had gotten himself chosen bishop of Liege, so that he was now possessed of three bishoprics: but he did not long enjoy these promotions, for he died the next year at Viterbo.

While Henry was at Woodstock this year, he narrowly escaped assassination, by a pretended madman, named Ribald, who, having secreted himself in the king's bed-chamber (who fortunately that night lay with the queen, in her apartment), stabbed the bolster in several places with a dagger. The wretch being apprehended, confessed that he was set upon this murder by William, son of Geoffrey de Marisco; for which he was sentenced to be hanged and quartered, and his limbs were sent to be fixed upon the gates of the principal towns in England; but we hear of no farther enquiry into the conspiracy.

Such omission might, indeed, have been the effect of Henry's own caprice, which often prompted him to actions equally malicious and absurd. This very period produced several instances of this nature, some of which we shall relate, as they strongly characterize the genius of this frivolous monarch. As he had no fixed principles of action, he sometimes heaped favours upon those whom he had but a short time before disgraced, and frequently insulted others immediately after he had loaded them with caresses and benefits.

We have already observed, that, on the death of Richard, earl of Pembroke, he had bestowed the investiture of the office of earl-marshal on Gilbert, that nobleman's brother, whose attachment and fidelity merited this mark of royal favour. Gilbert, thinking himself still in the king's good graces, and not being conscious of having committed any offence, went one day to court to pay his respects as usual, when, to his great surprize,

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he was denied admittance by those in waiting, who told him they had the king's orders for such behaviour. The earl upon this returns home, greatly chagrined, and the next day sends some of his friends to the king, to know how he had incurred his displeasure, that he had given orders to refuse him admittance to the royal presence: "Tell him (replied Henry) it is because his brother was a traitor, and lived and died such; that it repents me I ever made him marshal; but that it is a place I can recall whenever I see fit." This answer being communicated to the earl, he did not think himself safe in the neighbourhood of so capricious a master, and retired into the North of England, in order to shelter himself against the designs of his enemies, by whom he supposed the king's mind had been prejudiced against him.

Another instance of this prince's inconstancy was exhibited in his behaviour to his great favourite, Simon Montfort, whom, a few days after his having created him earl of Leicester as a fresh mark of his esteem, he reviled in the most abusive terms, publicly charging him with debauching his sister, and bribing the pope to confirm his marriage. The folly of this accusation was obvious to every one, who knew that Henry himself had not only given his consent to the nuptials, but had even caused them to be celebrated in his own chapel, and in his very presence. However, this insult, offered in the hearing of the countess, who was his own sister, alarmed her and her husband so much, that they departed that very day for France, where they resolved to remain till the king's unaccountable displeasure should be blown over.

Hubert de Burgh was another victim of the king's variable disposition, though that nobleman, far from having given any cause of offence since his reconciliation, had been almost the only one who adhered to Henry in the last defection of the barons; and, in fact, it should seem that the persecution raised against him now, came chiefly from that quarter. Be that as it may, Henry was inexcusable for joining it, which he did so far as to oblige the earl to purchase his safety with the sacrifice of four of his best castles.

We have already taken notice, that Henry had embroiled himself with pope Gregory, by sending succours to the emperor, who was then at war with that pontiff: and now, by a like capricious turn, he incurred the displeasure of the emperor, by allowing the sentence of excommunication which had been issued against him, to be published in all the churches of England; a conduct the more unaccountable, as Frederic was his own brother-in-law, having married his sister Isabella, and that alliance might have furnished him with a very plausible pretext to decline, or at least defer, the publication of the sentence.

This inconsistency in his conduct, these unjust and frantic proceedings, would probably have kindled anew the flame of civil discord, but for an event which happened at this time, that converted the dissatisfactions and murmurings of the people into joy and acclamations; this was the birth of a son and heir, on the sixteenth of June, 1239. The royal infant was baptized by the legate, and named Edward (afterwards the famous Edward I.) in honour of the Confessor, whom Henry had chosen as his tutelar saint, and held in the highest veneration.

This event considerably diminished the power and influence of the earl of Cornwall, the king's brother, who till then had been considered as heir presumptive to the crown, and was, in all probability, the chief inducement to his taking the cross and going to the Holy Land, to war against the Infidels, as we shall have occasion to mention hereafter.

All this while the legate Otho had continued his exactions upon the English clergy with such insatiable avarice, that, unable longer to bear with his insolence and rapaciousness, the bishops and other ecclesiastics repaired in a body to the parliament, which was held on the thirteenth of January, 1240, where they made loud complaints against the exorbitant demands the legate had made, in a synod held at London the preceding year; and as they did not dare directly to attack the pope in the person of his representative, they cast all the blame upon the king, taxing him to his face with the breach of his oaths and charters, in injuring, oppressing, and desolating the church; in hindering canonical elections; and putting the revenues of vacant livings into his own coffers: but Henry wholly disregarding their remonstrances, they proceeded to excommunicate all evil ministers and counsellors, who, by their advice, had misled the king, to the detriment of his honour, and the destruction of that harmony which should subsist between the crown and the subject. To all these attacks Henry answered only by pleading the pope's authority, to whom he confessed himself, with an execrable meanness, to be a feudatory. This infamous excuse served only the more to embolden the legate, who, contemning every consideration of modesty and prudence, redoubled his oppressions, treated the clergy and prelates like the most abject slaves, levying immense sums by threats of excommunication, and openly absolving those who had undertaken the crusade, on paying certain sums, under the title of procurations and compensation-money, whenever their inclinations or situation made it necessary for them to break through their vow.

But this was a trifle, in comparison of what the legate demanded shortly after of the clergy. On pretence of preserving the peace of the church against the assaults of the emperor, the pope required of all English ecclesiastics the fifth part of their goods, the king having previously given his consent. The clergy, notwithstanding the repeated rebuffs they had met with in their opposition to papal encroachments, at first refused, not only to comply with the legate's demands, but even to contribute any thing towards the pretended wants of the holy see: but the archbishop of Canterbury, who was willing to live in quiet, and was afraid of the imperious temper of the pope, consenting to give a fifth part of his income in lieu of the fifth part of his goods, the rest followed his example. However, the legate refused at first to accept of an offer so disproportionate to his demands, as if he had only required for his master what was his just due. This was the last money the archbishop of Canterbury gave the pope: this prelate, who led a truly Christian life, perceiving it impossible to redress the abuses that were daily introduced as well in church as state, retired into France, to the monastery of Pontigny, where he died this year. He was canonized by the council of Lyons, some years after his death.

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I find myself indispensably obliged frequently to recur to the same subject, I mean the exactions of the king and court of Rome, because they are the most considerable occurrences of this reign, at least to the time we are now speaking of, the pope seeming to have oppressed the English even with a wantonness of cruelty. He had hardly received the immense sums which were raised by the late exaction, when he sent orders to the archbishop of Canterbury, and the bishops of London and Salisbury, to reserve three hundred of the best livings in England for the use of the Italian clergy, on pain of being suspended from the power of collating. These benefices, it seems, he intended to bestow upon the children and relations of the citizens of Rome, in order to engage the latter to assist him against the emperor.

The earl of Flanders, uncle to the queen, had a present made him this year of five hundred marks, and a pension settled upon him to be paid out of the Exchequer. In return for this and many other presents, he did homage to Henry. About the same time the earls of Cornwall and Salisbury, and several other English noblemen, embarked at Dover to go to the Holy Land.

The absence of the earl of Cornwall, and of the other nobility, removed the greatest impediment which the pope and the foreign favourites had in England. And now a new one was added to the number, in the person of Peter of Savoy, another uncle of the queen's, who was presented by the king with the earldom of Richmond, together with a considerable sum of money. Thus much, however, must be said in justice to this new interloper, that, seeing how disgustful to the English nobility the preferments of foreigners were, he took great care to give them no offence by any part of his conduct. He was, soon after his arrival, knighted with great solemnity by Henry, in the abbey-church of Westminster.

In the beginning of the year 1241, England was at length delivered from Otho, the legate, who was recalled by an express order: at his departure he is said to have carried more money with him than was left in the kingdom; though the pope reaped no advantage from these exactions, being intercepted at sea by the Pisans, who were in alliance with the emperor, and who seized this treasure, thinking they had as good a right to strip him, as he had to plunder the English.

Papal exactions, however, did not cease at Otho's departure; he left an industrious successor in Peter de Rubens, or de Rupinis, an agent from the court of Rome, who not only gleaned the remains of the contributions which had not been yet levied, but also squeezed several very considerable additional sums from the abbey and convents. With this vulture was joined another of the same breed, called Peter de Supinis. Their exaction and insolence were such, that even Henry himself, though at all times a staunch defender of the papal orders, began to feel for his people; for we find that, upon the abbot of Peterborough's refusing to pay an exorbitant demand of the pope's, and the agents of the latter pressing it with threats, the king interposed his authority, with orders that they should proceed no farther in such monstrous oppressions.

Henry was not a little chagrined at the departure of Otho, in whose protection he had always thought himself secure against any refractoriness of

his barons: however, as he seldom was long enslaved by any passion, he cheered his heart with the hopes of finding an agreeable assistant in Simon Montfort, the person he had so lately disgraced without cause, and whom he now as causelessly recalled, and reinstated in his former credit at court. This year also we are told, that the citizens of London, the Cinque Ports, and most of the nobility swore fealty to prince Edward, the king's newborn son.

On the twenty-seventh of June, a great tournament was held at Ware, in Hertfordshire, by several of the nobility, in which Gilbert, earl-marshal, lost his life by an unruly horse and the breaking the reins of his bridle: Robert de Say was likewise slain, and several others wounded. Henry was so incensed at this breach of his orders (which he had issued against these kind of diversions), that he for some time made a difficulty of giving Walter Mareschall, who had been one present at this feast, the investiture of his brother's office; but being at length appeased by the intercession of the bishop of Durham and other noble personages, he not only gave him the staff of marshal, but also permitted him to do homage to the king of France for certain lands belonging to him in Normandy.

The death of Edmund, archbishop of Canterbury, gave Henry an opportunity of providing for Boniface, brother to Peter of Savoy (a man of a graceful person and pleasing address, but not considerable for either learning or talents), by raising him to the first dignity in England. A dispute happening between the late archbishop of Canterbury and the monks of Christ-church, about the choice of a prior, the former, a little before his going abroad, had excommunicated them; and they thought it necessary to get that sentence taken off, before they proceeded to the election of a new archbishop, lest it should be set aside on account of their being disqualified. The pope had accordingly commissioned the archdeacon of St. Alban's and the prior of Dunstable to absolve them; but Simon Langton, archdeacon of Canterbury, appealing against that commission, as procured by false suggestions, the monks applied to Henry for protection, giving him the strongest assurances, that, in such case, they would elect Boniface. This engaged the king to use his interest with Simon to withdraw his appeal, who, complying with the royal request, the monks were at liberty to proceed in their election, and, agreeable to their promise, Boniface was chosen archbishop of Canterbury; though, by reason of the vacancy of the see of Rome (Gregory IX. being now dead, and a schism prevailing in the Roman church), he was not confirmed till two years after, by pope Innocent IV. nor consecrated till the beginning of the year 1245.

Henry did not receive more pleasure from the success of this scheme, than he did from another event of a very different nature, which happened about this period: this was the death of Eleanor of Brittany, the hereditary heiress of the English crown, in right of her father Geoffrey, brother of the late king. She died a virgin in the castle of Bristol, where she had been confined very near forty years. This princess, though reduced to so wretched a situation, could never be brought, during her long confinement, to recede in the least from her right, in order to obtain favour, which she could not expect upon any other terms. This

year also died Stephen Segrave, in Leicester abbey (where he had retired after his disgrace); and also William de Forz, earl of Albemarle.

Henry, out of his great veneration for Edward the Confessor, had been induced to rebuild the abbey-church of Westminster, originally erected by that saint-king, laying out two thousand pounds a year on it (an immense sum in those days) for eighteen years successively; it was this same veneration made him celebrate the festival of that saint with the greatest imaginable parade; and it was this prompted him now to have a new shrine made, all of the finest gold and adorned with exquisite workmanship, for his relics.

The mutinous spirit of the mob of London, and their declared affection to the French interest, had made Henry resolve to fortify the west end of the Tower (where the lions are now kept) with walls and bulwarks; but the work was so ill executed, that, after an expence of twelve thousand marks, they fell down suddenly this year, to the amazement and joy of the populace, whose insolence they were intended to restrain †.

Henry's attention was a good deal taken up this year by disturbances which happened in Wales. Llewellyn, prince of that country, dying in a very advanced age, left his principality to his son David, who had made some trifling incursions into the English territories, and seemed averse to an accommodation with Henry. He had an illegitimate brother, older than himself, named Griffin, who was extremely popular among the Welsh, and therefore the object of his jealousy and hatred. He had claimed a part of his father's inheritance, to which he was entitled by the law of the country; but David, instead of granting his request, had committed him to close prison.

Senana, wife to Griffin, had recourse to Henry, whose assistance she solicited, with a promise of paying him a certain yearly sum out of her husband's estate. The king, allured by this bait, interposed his good offices with David; but these proving ineffectual, he assembled an army, with which he entered Wales about Midsummer, when the Marches were dry and accessible; and in a few weeks compelled him, not only to release his brother, but also to submit to such terms of peace as he thought proper to prescribe.

But Henry, notwithstanding his having interfered so cordially, to appearance, in favour of Griffin, was not without some apprehensions, that the popularity of the latter might give rise to some commotions in the newly subjected country, should he allow him to reside there at full liberty; therefore he sent him up to London, and had him kept close prisoner in the Tower, where he continued above two years; till at length, attempting to make his escape out of one of the windows, he fell to

the ground and dashed out his brains. Thus Henry's protection was converted into oppression, by the artifice of David, who gratified him with greater advantages than he had stipulated with the unfortunate Griffin.

Shortly after, Henry was engaged in a troublesome affair, of which he got clear, as usual, with dishonour, and lost him entirely the little esteem his subjects had yet left for him.

Before Richard, earl of Cornwall, had gone upon his pilgrimage to the Holy Land, he had been solemnly invested with the earldom of Poitou, by the king his brother, though the conquests of Philip Augustus had brought the greatest part of the county under the dominion of France. This province being thus divided between the two crowns, Lewis, the French king, thought he had as good a right to bestow the investiture of it upon his brother Alphonso; which proved the occasion of a war between the two monarchs.

All this time earl Richard had been signalising himself by his arms in Palestine, where he fortified Ascalon, recovered Jerusalem, and made an advantageous truce for ten years with the Saracens. Thus crowned with laurels he set out on his return for England, but staid two months at the court of the emperor, with his sister Isabella, the empress, who died in child-bed immediately after his departure. On his arrival in England, he found his brother highly exasperated against the court of France, and determined to take arms against that government. To this Henry had not been a little instigated by the solicitations of his mother Isabella, who, soon after the death of king John, had been married to the count de la Marche, who had been her first lover. This nobleman also had given Henry the strongest assurances of success, promising him that he should be joined by all the old tenants of his family in France, besides the king of Arragon and the count of Thoulouse; so that the king, charmed with this prospect of recovering his old domains, ordered a meeting of the parliament to be held about the latter end of January, 1242, at London.

Upon their meeting, the king laid before them the expedition he meditated, and the great prospect of success that offered itself at the present juncture, provided they would assist him with a subsidy proportioned to the importance of the undertaking. But he soon found that he had to deal with men in a very bad humour for complying with his request: the nobles and people of England had found themselves regarded as mere cyphers by the court ever since the last subsidy was granted; and they seemed now resolved to let the king know their importance. They plainly perceived that his heart was set upon the French war, and therefore they entered into an association, to which they added the tie of a solemn oath, not to grant him

† Matthew Paris represents this additional fortification, as designed to serve for prisons to such as should offer to defend the liberties of the city: but it is not the only wrong turn he gives to facts of an harmless, or even of a salutary nature. Thus he complains of Henry's forbidding the usual collection made among the citizens of forty pounds a year towards the mayor's charges in his office; though it was done to prevent an abuse, common enough in like cases, of collecting, under that pretence, much larger sums, which lay heavy on the poorer citizens. Thus he speaks of a tallage laid this time on the city of London as a badge of servitude, contrary to the custom and liberties of the city, which used only to give a free aid: whereas there was no privilege of exemption in any of their charters, and the Londoners were as subject to tallage,

as the inhabitants of other cities, and had paid it in the time of the king's progenitors. All the difference was, that, instead of being assessed per capita, those of London generally compounded for the tallage by a gross sum, which the crown accepted, whenever it appeared to be a sufficient equivalent; and the king was so moderate at this time, either in the rate of the tax, or in the composition for it, that he took of them only one thousand marks of silver, and twenty of gold for the tallage here mentioned; which appears by the Pipe Rolls to have been general through the kingdom; and it seems to have lain heavy on none, except the Jews, who paid twenty thousand marks toward it, according to the same author. See Carte's Hist. Eng. vol. i. p. 71, 72.

any money for that purpose. Accordingly, a few days afterwards, when the king met them again, and declared his fixed intention of going abroad on the invitation of the count de la Marche, and repeated his demand of a pecuniary aid, instead of complying with his request, they gave him a refusal in terms which were not only unbecoming them to give and him to receive, but below the dignity of history. Those who are curious to know what passed on this occasion, may consult Matthew Paris, who has related every part of the conference with the most minute exactness. It is sufficient to observe here, that there were very warm debates among the members, many of whom Henry, by promises and actual gratuities, had brought over to his side. But not all the arguments of Henry and his friends could bias the English party, who insisted that the king could not, with any degree of safety, depend upon the invitation of persons who had been traitors to their own prince, and consequently could not be supposed would be true to him. They told him likewise, that the truce with France not being expired, they were not willing to incur the guilt of the breach of his oath. To these remonstrances they added many complaints, in particular with regard to his non-performance of the two charters, which he had so often sworn to observe; and concluded with a downright refusal of the aid he demanded. Soon after these altercations the assembly was dissolved.

Notwithstanding the ill success he had met with in this application to the parliament, Henry was not to be diverted from his enterprize: narrow as his genius was, he had learned from the agents of Rome the time-serving arts of bribery and corruption; by means of these he brought over a great many persons, of the clergy especially, to countenance his intentions, and even to magnify the justice and equity of his cause, from their pulpits and in their private conversations. Moreover, his agents had prevailed with many moneyed persons to advance considerable sums, upon the most solemn promises of being reimbursed threefold by the success of the expedition. And now, being repeatedly pressed by the count of la Marche to hasten over, he summoned all the military tenants of the crown to meet him at Portsmouth on the twenty-seventh of April: but, instead of horses and arms, he ordered them to bring each a sum of money, depending upon the count of la Marche's word that he should find men enough in Poitou.

However, that he might leave his people in as good humour as he could at parting, he restored the bishop of Chichester to favour, and appointed the archbishop of York regent, during his absence, joining with him the bishop of Carlisle and Walter de Cantelupe as his coadjutors. He also recalled several of the most popular of the nobility to court, and treated them with great marks of distinction. Having thus provided for the interior quiet of the kingdom, he was desirous also to guard against any encroachments of his neighbours, particularly the Scots. Accordingly he set on foot a treaty of marriage between his young daughter Margaret, and the son of the king of Scotland; and, as an earnest of mutual friendship, Alexander undertook

to guard the safety of that part of the English borders lying over-against Scotland, in return for Henry's having paid him the arrears of his subsidy.

After waiting at Portsmouth some time for a fair wind, Henry at length embarked on the ninth of May, with his queen, his brother Richard, seven earls, three hundred knights, and thirty hogsheds of silver, and landed on the thirteenth at Royane, a port of Xaintonge, lying at the mouth of the river Gironde.

In the mean time Lewis, who had been apprized of all that had passed between the court of England and his rebellious vassal, had not been idle in making preparations to oppose his enemies, and reduce his subjects to obedience. He had fitted out a fleet of eighty galleys, at Rochelle; summoned all his military tenants and the militia of the counties; and had fell into the estates of the count de la Marche with a body of four thousand knights and twenty thousand gentlemen and crossbow-men, besides a very numerous infantry; and, after making himself master of Montreuil, Montcontour, Beruge, and Veuvant, with several other places, sat down before Fontenoy, one of the strongest fortresses belonging to the count, upon the frontiers of Xaintonge.

He had just formed the siege of this place as Henry landed at Royane, who, to make a shew of keeping his promise to some of the chief nobility before he left England, that he would not break the truce without a reasonable cause, sent ambassadors to demand satisfaction of the king of France for his infractions thereof.

Lewis received the ambassadors with great complaisance and politeness. He heard, with the utmost calmness, their charge of the breach of the truce on his side*; and answered them with great modesty, "That, so far was he from being inclined to break it, that, notwithstanding the hostile invasion of the king their master, he was desirous to maintain and even to prolong it; and that all he had done, was only to chastise the earls of Marche and Thoulouse, and others, his own rebellious subjects and vassals, who had broken their oaths of fidelity and homage."

The Poitevins and other foreigners about Henry's person, were wicked enough to persuade that weak prince, that all this moderation on the part of Lewis, proceeded from fear. Animated by these false representations, some days after he rashly sent two Knights Hospitallers to defy Lewis, who despised his bravado, and still sought for peace on equitable terms: but finding his adversary obstinate, he determined to maintain his cause by force of arms.

The first effect of this resolution was the reduction of Fontenoy, till then deemed impregnable. As the place was taken by storm, Lewis's generals advised him to put all the garrison (together with the governor, who was a natural son of the count of Marche) to death, as rebels taken in arms against their lawful sovereign; but Lewis rejected their proposal with a noble indignation, saying, "That a vassal did not deserve death for serving his lord faithfully, nor a son for obeying his father."

* It would have been difficult for Henry to have specified any infractions on the part of Lewis, unless by supposing the count de la Marche to be one of the allies of the crown of England, and as such secured by the truce from any attack;

and that this was the pretence appears from what W. de Nau-gis relates of this prince's answer to Henry's message, in his book *De gestis Ludovic. IX.*

Henry, at his landing on the continent, had found himself greatly deceived in regard to the numerous succours which the count de la Marche had promised him would join him on his arrival. The count himself came but poorly attended, and in a visible incapacity to perform his high-flown promises. When an army came to be raised in those parts, the officers and soldiers enlisted so slowly under the English banners, that it was easy to foresee the enterprize would fall far short of the hoped-for success: so that not finding his army strong enough to oppose the enemy, he wrote to the regency in England, to send him over a reinforcement of two hundred knights and one hundred horse; and instead of scutage for non-attendance, to oblige his military tenants to attend him in person. In the mean time Lewis continued his progress, and reduced most of the strong holds belonging to the count de la Marche in Poitou.

After about a fortnight's stay at Xaintes, he marched to Torcey upon the Charente; and seeing that Lewis had advanced very near to Taillebourg, he endeavoured to throw himself into that place, to prevent its falling into the hands of the enemy; but the French king getting between the English and the town, the citizens and garrison opened the gates to his forces. He then ordered his army to encamp without the gates, in a meadow. Thus both armies lay with only the river Charente between them.

Henry had in his army several brave officers, who had been trained up to service under his brother, the earl of Cornwall, and the earl of Salisbury, now returned from the crusade, and six other English earls served under him. He had made himself master of a stone bridge on the Charente, so that the French army, which was much reduced by fatigue, diseases, and losses, was obliged to pass to the attack in boats, at great disadvantage, and to assault the bridge at the same time.

The English troops stood the attack with the utmost intrepidity, and the French army was on the point of falling into a total disorder, when Lewis, advancing at the head of a chosen body of troops, renewed the battle, and, after performing very brave actions with his own hand, drove the English from the bridge, where he took post.

Elated with this success, he continued to pursue the flying foe to the gates of Xaintes, into which several of the most forward pursuers entered along with the fugitives. Henry had not taken the route of Xaintes, but remained encamped, after his defeat, in such a manner as must have put him in a short time into the hands of the enemy, had not his brother, the earl of Cornwall, relieved him from this distress by an expedient, at once pious and noble: divesting himself of his armour, and with only a truncheon in his hand, he advanced towards the French camp, where he demanded an audience of Lewis, to which he was readily admitted: he now desired a truce for that night and the following day, which was made use of by Henry to retreat towards Xaintes, for the security of his own person.

Lewis no sooner perceived the English in motion, than he attacked their rear with such fury, that, after a bold and vigorous resistance, he at last put them to flight with the loss of a great number of men, and followed them as far as Xaintes.

Here, however, he met with a severe check; for the count de la Marche having made a fallacious retreat, the earls of Cornwall, Norfolk, Salisbury, and Leicester rallied their troops, and renewed the engagement. The dispute was maintained with great bravery and resolution on both sides: the place in which they were engaged was very inconvenient, being covered with bushes and shrubs; and the French, by their own accounts, had a vast superiority of numbers, otherwise victory would certainly have declared on the side of the English, who were now obliged to give way, after a terrible carnage.

The English army had suffered so much in these two actions, that Henry abandoned Xaintes and immediately proceeded to Pons, where leaving a strong garrison, he continued his march to Bourdeaux, as a place of greater safety: but so precipitate was his retreat, that many of his soldiers perished with fatigue and want of provisions; and all Henry's rich equipage and furniture fell into the hands of the enemy.

The count de la Marche, confounded and dismayed at the loss of this second battle, began to consider in earnest of making peace with Lewis, and to seek that safety in a timely submission that he could no longer hope for from the protection of the king of England. Influenced by these sentiments, he sent his eldest son to solicit terms from Lewis: that prince, retaining his usual moderation, granted him hard, but in his then situation favourable, terms. And now Lewis would, in all probability, have pursued his success against the king of England, had not an epidemic malady broke out in his army, and himself been attacked by a languishing disorder that rendered him incapable of action. These reasons induced him to consent to a truce for five years, after having completed the conquest of Poitou.

Though Henry had now nothing farther to do in France, the king of Arragon and the count of Thoulouse, by whom he was entirely governed, prevailed on him to pass the winter at Bourdeaux, where he lavished away the remainder of the treasure he had taken over with him, in feasting and diversions, as if the last campaign had covered him with success and glory. At this time his troops were in want of all things, the Gascons refusing to contribute to the maintenance of the English army, now that the peace had rendered their assistance needless; so that the king was obliged to send for cloaths and provisions for his soldiers to the archbishop of York, his regent in England, ordering him to seize all the produce of Canterbury, and the other vacant bishoprics, in grain or provisions of any kind, and send the same over to France for the use of the army. At the same time he ordered him to confiscate the estates of all those noblemen who had refused to accompany him over sea. But the regent, who was a man of sense and moderation, very prudently declined meddling with the last, for fear of raising commotions in the kingdom during the king's absence; but punctually executed the first of these orders.

Not all the wealth of England would have been sufficient to supply Henry's extravagance at Bourdeaux, for he had no sooner received the first supplies, than he sent fresh orders to the regent to demand a year's wool of the Cistercians; but the abbots excused themselves in such a manner as plainly shewed

shewed that nothing but force could compel them to it, and this was what the archbishop did not chuse to have recourse to. But finding himself perpetually teized by the king to send him fresh remittances, he obtained of the parliament an aid of no less than twenty shillings upon every knight's fee: a supply which would have been fully sufficient to free the king from all straits, if it had been properly managed.

These extraordinary exactions caused great murmurings among the people; but the regent was willing to expose himself to these complaints, in expectation by that means to draw the king from Bourdeaux, and to hasten his departure: he sent him word that there was no possibility of raising any more money, and therefore it was time to think of returning home.

This declaration made the king think in earnest of his departure; and, in the beginning of the year 1243, he sent orders to the barons of England to be ready to receive him at Portsmouth. They accordingly obeyed; but he made them wait so long, that they were extremely disgusted, by reason of the great expence they were at during their stay; for although the king's order had come over the latter end of January, and the barons were ready at the place appointed by the middle of March, Henry did not arrive till the twenty-fifth of September, owing to his not being able to procure a proper convoy. The English government had so long neglected the care of the marine, that it was entirely fallen to decay; and the truce not being yet ratified, the count of Brittany's Squadron still continued to insult the coasts of England, and it was very unsafe for Henry to put to sea without a proper convoy, which the regent found difficult to fit out.

Before Henry left Bourdeaux, he ratified the five years truce with France, on the following shameful conditions: "That Lewis should retain all his acquisitions in France; and even those places were to be restored to him, which Henry had taken by way of reprisal for the French depredations by sea. Henry was likewise to pay to the king of France five thousand pounds, at five regular yearly payments, of one thousand pounds each*."

Though this truce was ratified on the twenty-first of March, yet Henry did not sail for England before the latter end of September, owing to the causes above-mentioned. On the twenty-fifth of that month he arrived at Portsmouth; and, as if he had been willing to cover his disgrace under a load of pageantry, he gave orders that every city or town through which he passed, should send forth four of its principal inhabitants on horseback, richly dressed: and to indemnify himself a little for his late expences, he obliged the Jews to pay him an immense sum of money ‡, while the clergy

presented him with a loan, or rather a free-gift, to a great value.

Before Henry left England to go upon his French expedition, he had concluded a match between his brother Richard, earl of Cornwall, and Sanchea, third daughter of his queen's father, the count of Provence. This match was by no means agreeable to the English, who were apprehensive that this alliance would strengthen the party of the foreigners at court, and engage Richard in their interest. However, Beatrix, countess of Provence, came over here about six weeks after Henry's return from France, bringing with her the young lady, and the nuptials were solemnized on Sunday, the twenty-second of November, being St. Cecilia's day, at Westminster, the barons of London officiating voluntarily at the dinner (though not bound so to do) as at a coronation.

The earl was fond of displaying his magnificence on this occasion; and keeping the Christmas holidays at Wallingford, entertained the court, the nobility, and all comers in the most sumptuous and splendid manner†. When the feastings were over, Beatrix took leave of her daughters, and, having borrowed of the king four thousand pounds for her husband, returned home to Provence.

The see of Rome, which had been vacant eighteen months, was filled this year by cardinal Senbaldo, of Genoa, who took the name of Innocent IV. The first act of the new pope after his consecration, was to confirm the excommunication denounced by his predecessor upon the emperor Frederic II.

Henry's necessities obliging him to call a parliament in the beginning of the year 1244, he himself made the motion for the subsidy, which was heard with manifest signs of discontent; and the answer of the assembly was, that they would consider of it. Accordingly the prelates and the laity retiring separately to deliberate on the proposal‡, came at last to a resolution, that no supply should be granted but by their common consent; and that a committee of twelve persons should be chosen, to draw up the demands they intended to make of the king, and to concert proper measures for preventing all encroachments on the two charters. Those twelve persons were appointed to be the mouth of the whole parliament, and no propositions were to be either made, or received, but through them. The names of those chosen on this occasion were Boniface, archbishop of Canterbury, the bishops of Winchester, Lincoln, and Worcester; Richard, earl of Cornwall, the king's brother; earl Roger Bigod§; Simon Montfort, earl of Leicester, and the earl-marshal¶; Richard de Montfitchet, John de Baliol, with the abbots of Ramsey and St. Edmundsbury**. These prepared a kind of petition, complaining of the administration

* See Rymer, vol. i. p. 416.

‡ Sixty thousand marks, says Matt. Paris, p. 534.

† The accounts we have in Matthew Paris of the magnificence of this wedding are incredible, since for one particular he tells us, that no less than thirty thousand dishes of meat were provided for the guests.

‡ They separated into three bodies, the clergy, the earls, and the barons; by which is apparently meant all of whatever rank or station they might be, who held of the king in capite or in chief. This is the first instance we meet with in the English history of any such division, and appears to be the first clear and unexceptionable division of the four ranks composing parliament, viz. of the king, lords spiritual, lords temporal,

and commons. Although it must be confessed, that the barons in those days, and those holding in capite of the king, however reduced from what barons were of old, are far from answering what is now chiefly understood by the word Commoner, it is plain, however, from each order chusing committees of their own number, that they considered themselves in some measure as distinct bodies: this, therefore, may be rather called the embryo, than the pattern of our present parliaments.

§ On behalf of the clergy.

¶ On behalf of the earls.

** On behalf of the barons or commoners.

of justice on the part both of the high-justiciary and chancellor; demanding that they might have the nomination of those two great officers, and proposed that four persons, in the highest credit in the kingdom for riches and reputation, should be chosen by parliament, and should be sworn into the king's council: these persons were to have the title of Conservators of the Public Liberty, with power to inspect the treasury, and the application of the public money; to summon a parliament as often as necessary; and to arbitrate in all differences between the king and his subjects. They demanded, that all writs issued contrary to the custom of the realm, should be revoked; that censures should be published against all who opposed these regulations; that the chancellor and justiciary, chosen by the parliament, should always be two of the four conservators; that in case the king should deprive the chancellor of the seals, all writs signed by his successor should be null; that, besides the chancellor and justiciary, the parliament should nominate two judges in the Common Pleas, two barons in the Exchequer, and a justice of the Jews; and that all suspected persons should be removed from about the king, and such others put in their stead as should be agreeable to the people, and restore the constitution to its true vigour.

These demands, which visibly tended to annul the royal prerogative, and leave the king only the shadow of sovereignty, were in themselves contrary to the English constitution, and could not fail of greatly alarming Henry, who plainly saw the design, and had reason to lament his unthinking extravagance, which had brought him into such circumstances as emboldened his own vassals thus to insult his royal authority; but all he could do, when he refused these insolent proposals, was to give the authors of them good words, and general promises to redress all grievances. During the six days that this session lasted, he tried the clergy and laity separately, to bring them to a compliance, but all in vain.

At length it was agreed that the parliament should meet again three weeks after Candlemas, when the nobility gave him hopes of an aid, if he would in the mean time make choice of such counsellors as they should approve, and put the disposal of the money raised, into the hands of such twelve persons as should be chosen by the committee of the parliament.

It was, perhaps, owing to this expectation that Henry employed several new ministers at this time, particularly Paulin Piper, steward of the household, John Maunfell, chancellor of St. Paul's, and Laurence de St. Martin, all men of distinguished integrity and abilities, who were now appointed of the privy-council.

Nevertheless, the parliament seems to have resumed its session in a very little better humour, for all that the king, by the most solemn promises to observe the Great Charter, could obtain, was twenty shillings for the fee of every knight for the marriage of his eldest daughter, which he could by the Magna Charta have raised by his own authority, without their consent, at the time of her marriage.

Whilst this parliament was sitting, one Martin came over, as nuncio from the pope, to procure a subsidy of one thousand marks from the clergy, to assist him in his wars against the emperor. The

power this nuncio was invested with, exceeded those of all his predecessors, as his oppression and insolence surpassed whatever had been seen in any of his character who had visited this priest-ridden kingdom on the like occasions: but Henry, fearing that his own wants might be left unprovided for, should those of the pope be supplied, resolved to check this harpy in his flight, and sent a message to the spiritual peers, strictly forbidding them to subject their lay fees to the pope. This produced a breach between master Martin and the court, and the former was obliged to be contented with what he could squeeze out of vacant benefices and those who were more immediately under the pontifical sway.

About this time a difference arose between Alexander, king of Scotland, and Henry, on the following occasion: Alexander having married the daughter of Engelhard de Cuscy, a potent nobleman of France, and the mortal enemy of Henry, sent the latter word, that he intended no longer to do him homage for the lands he held in England; but would maintain the independency of the Scottish crown to the last extremity. Henry, incensed at this bravado, which he very justly attributed to the reliance Alexander placed on his French connections, could not forbear exerting himself on the occasion, though sensible that his present necessities made it very improper to enter into a war. He summoned together his military tenants to meet him at Newcastle upon Tyne, on the first of August, in order to march into Scotland; and putting himself at their head, advanced as far as Pentland.

Alexander, who had trusted to the weakness and irresolution of Henry, never dreamed that he would take the field, but hoped that a negotiation for compromise of differences would be set on foot, which might turn to his advantage. However, when he saw the English army ready to enter his territories, he thought proper to abate of his haughtiness, and sent ambassadors to Henry to propose a peace. Henry received the motion with great satisfaction, and consented to a treaty, by which Alexander renewed the homage paid by himself and his ancestors to the crown of England. By the same convention it was agreed, that the marriage between the prince of Scotland and the princess of England, that had been projected before, should now take place, and a good understanding between the two kings was now perfectly restored.

Henry was then at the head of a great army, and was advised to make use of it to reduce the prince of Wales to obedience, who had lately raised some insurrections; but the natural propensity the king had to luxury and ease made him slight this politic counsel, and dismiss his troops (though he knew that the Welsh were then actually in arms upon his territories), out of impatience to call a parliament at Westminster, and demand an aid of money. This parliament met on the third of November, but Henry could not obtain the least supply from them.

In the mean time David, prince of Wales, not doubting that Henry would use the means he had in his power to chastize him, had actually applied to the pope, offering to hold his country of him at the yearly tribute of five hundred marks, provided he would take him under the protection of the holy see. Innocent IV. who was infected with the

the malady of most of his character, an insatiable thirst after riches, accepted the offer, and sent a commission to two Welsh abbots, to enquire whether David had submitted to the homage he had sworn to Henry through force or terror, and if it should appear that he had, to release him from his oath and engagements to the English monarch. The delegates, fond of shewing their power, summoned Henry to appear before them on the twentieth day of the following January, at Kenmere, in Wales, to answer what could be alleged in the cause.

This insolence and indignity enraged the king and his council, as well as the whole nation: they lamented now, too late, the disbanding the army; but, as there was no remedy, it was resolved another should instantly be raised, and sent to chastise the Welsh, as soon as the ensuing spring would permit troops to take the field. On this occasion was levied the most extraordinary scutage that had ever been demanded on account of a Welsh war, it being assessed at forty shillings a knight's fee, and called the Scutage of Gannoc, from the chief place of action during the ensuing campaign.

Henry had also another expedient for raising money, furnished him by the example of the king of France, who, thinking no man could serve two masters, had given the English in his dominions the choice of relinquishing either their estates in France or those in England, obliging them to do either one or the other. Henry, however, did not act with the same justice, for he seized all the lands held by the French in England, without leaving them any choice. Though this expedient brought a considerable sum into his coffers, it certainly added very little to his reputation.

In the middle of January, 1245, the queen was delivered of another son, who was christened by the name of Edmund, and of whom I shall have frequent occasion to speak, before the conclusion of this reign.

The war with the Welsh, which had been deferred till this spring, was accordingly began at this time: as a prelude to which, David and all the nobility in North and South Wales were summoned to appear in the king's court at Westminster, on the first Thursday in Lent, there to renew their oaths of duty and allegiance, and to answer for the depredations they had committed.

In the mean time Henry continued his warlike preparations with unremitting assiduity: he sent for a body of troops from Ireland; he summoned all his military tenants to meet him at a certain rendezvous; and in a great council assembled at Whitsuntide, it was resolved that the king should command the army in person. Accordingly, about the middle of August, Henry began his march for North Wales, through which he penetrated, without opposition, to the river Conway, at the mouth of which he built the strong castle of Gannoc, to over-awe the enemy, and prevent their sending any parties to make incursions upon the English territories.

This fort effectually answered all the purposes for which it was intended, and hampered the enemy so much, that they could draw no supplies from Cheshire; at the same time the troops from Ireland wasted the Isle of Anglesey; and proclamation was made through all the Marches, that no provision or merchandize should be carried into Wales, un-

der severe penalties; so that the wretched Welsh were cooped up in the mountainous counties of Caernarvon and Merioneth, and reduced to a starving condition.

In this situation they continued till the death of prince David, which happened in the beginning of the next year; and as he left no issue, the principality ought to have devolved to his nephew Roger de Mortimer; but the Welsh would not submit to the government of an Englishman, and therefore set up Llewellyn and David Gach, the two sons of Griffin. These shared David's dominions, and sued for peace to Henry, who granted their request, on condition that they, and their heirs forever, should hold of the crown of England, and furnish it with one thousand foot and twenty-four horse, well armed and appointed, to serve in Wales and in the Marches, when required; and five hundred men when their service should be wanted in any other place.

Martin, the pope's nuncio, was all this while continuing his oppressions and exactions in England, without Henry either daring or caring to oppose him with resolution; but an event which happened soon after, set the proceedings of the nuncio and his master in such a light as effectually opened the king's eyes: a messenger of the pope's having been seized by order of the barons, there were found upon him several bulls, empowering the nuncio to exact money from the clergy upon divers pretences. No sooner were the great men in possession of these irrefragable proofs of the oppressive disposition of the see of Rome, than they hastened to lay them before the king. At the same time they took occasion to acquaint him, that, from an inquisition which had been made for that purpose into the value of the livings possessed within England by Italians, that the same amounted to sixty thousand marks per annum; a greater sum than the actual revenues of the crown, in those days of dissipation and necessity.

This plain demonstration of papal exactions roused Henry as from a dream; but, still fearful of incurring the pope's resentment, he contented himself with permitting the barons to write to the general council, then assembled at Lyons, to set forth the intolerable oppressions England laboured under from the court of Rome.

In the mean time the barons were resolved to rid the kingdom of master Martin by force, if they found he would not depart by civil persuasion. Accordingly, having assembled together under pretence of a tournament, they made choice of Fulk Fitz Warren, a knight, to carry their resolves to the nuncio. They could not have pitched upon any person more proper to execute such a commission: he had himself been a severe sufferer by papal exactions, and had a settled hatred against all the partisans of the Romish see.

Martin at that time was lodged at the New Temple, in London: thither Fitz Warren hied, with a determined resolution to awaken every spark of fear that could be found in the nuncio's breast. Being come into his presence, he told him with a stern air, that he must prepare himself to depart instantly. The nuncio, little accustomed to such a disrespectful address, asked him by whose authority he dared to speak to him in that manner. "By the authority of a body of English knights, now in arms (replied Fulk), who bid me tell you, that if

if you, or any of your followers, are found on English ground after the expiration of three days, every soul of you shall be cut in pieces." Martin was not a man to contemn a menace of this kind, and so peremptorily delivered; he professed himself willing to depart within the limited time, and Fitz Warren, having thus effectually executed his commission, retired to join the barons, and acquainted them with what he had done.

The nuncio failed not to make use of the short stay allowed him, to prefer his complaints to Henry, and desire his protection; but the king told him, that his robberies and oppressions had raised such a spirit of resentment throughout the nation, that he was scarcely able to protect himself against his own subjects, so incensed were they at his having given countenance to his rapacious proceedings. Upon this Martin demanded a passport, and departed immediately, to the no small joy of the kingdom in general.

The English ambassadors being arrived at Lyons, presented their letters to the council, where the pope presided in person*, who was so confounded at the allegations contained therein, that he did not offer a word in his own vindication; and his confusion was heightened by an additional charge from the commissioners†, for his frequently cancelling his own acts by clauses of *Non obstante*, inserted in his bulls and deeds; a clause entirely destructive of all the rights of patrons, and of all the liberties of the Anglican church‡. At the same time the ambassadors expatiated on many other grievances, concerning the perpetual extortions of the nuncios and legates, and in general all the oppressions to which the English nation had been so long exposed.

The ambassadors waited some days for an answer, but finding that his holiness trifled with them, they took their leave of the council, after entering a solemn protest against any future payment of the shameful tribute-money granted by king John, or any money out of the incomes of churches to which laymen presented.

Innocent was too politic to betray the resentment he felt at this spirited opposition of the English, lest it might put them upon throwing off the papal yoke altogether: on the contrary, in order to throw a mist before the eyes of the council, he published two bulls; by the first of which, English patrons were allowed to present whom they pleased to livings in their gift; and by the second it was granted, that when a beneficed Italian died or resigned his preferment, another should not immediately succeed. He made a great flourish of these two bulls, as if he had granted some very signal favour to the English church; though, in fact, these privileges signified nothing, since he had it in his power to make use of a *Non obstante* whenever he pleased.

No sooner, however, was the council broke up, than he wrote thundering letters to the English

prelates, expressly enjoining them to confirm and set their seals to the charter of tribute granted by king John. This they were inexcusably weak enough to do, to the great concern of the king and kingdom; and Henry, when he heard of it, swore in a violent passion, "That, however scandalously the bishops had behaved, in giving up their own independence and that of their country, he would persist in opposing the arbitrary impositions of the court of Rome with all his might." But, notwithstanding this boast, he soon resumed his wonted complaisance for the pope.

This year died Walter, earl of Pembroke and earl-marshal, and was succeeded by his brother Anselm, then dean of Sarum, who enjoyed the honour only a few weeks, being taken off by a sudden illness. In his person the noble family of Strongbow, earls-marshal of England and earls of Striguel and Pembroke, became extinct. The vast estate in England, Ireland, and Wales, belonging to this family (which failed in the third generation from Richard Strongbow) fell among five sisters, who were married to divers great noblemen of England.

The council of Lyons was now broke up, after having excommunicated and deposed the emperor Frederic; and the king of France was making great preparations for going upon a grand crusade. Henry was keeping his Christmas at London, when he was surprised with the news that his mother-in-law, the countess of Provence, had delivered up to the court of France all that earldom, upon condition that the earl of Poitou, brother to the king of France, should marry Beatrix, her youngest daughter. This was a great disappointment to Henry, who had expected the greatest part of that earldom as a portion with his wife, and had in that expectation advanced large sums towards the keeping up the forts and castles thereon.

About Midlent, in the year 1246, a parliament was summoned at London, for the redress of public grievances, and in particular those arising from the encroachments of the see of Rome. The assembly, after some deliberation, came to a resolution to commit to writing a kind of state of the nation's condition, and the hardships she suffered from the papal tyranny, and to demand satisfaction of the pope for the same. This writing was signed by the king, bishops, and temporal lords, and contained the following articles of complaint.

I. That the pope, not content with the annual payment of Peter-pence, had exacted from the clergy great contributions without the king's consent, against the customs, liberties, and rights of the church and realm of England.

II. That the patrons of churches could not present fit persons to the vacant livings, the pope conferring them generally on Italians, who understood not the English language, and carried out of the kingdom the money arising from the income of their benefices.

* The emperor Frederic, during his contest with the pope, had filled all Europe with his manifestos, by which he offered to refer the differences between them to the kings of France and England; but the other declining this arbitration, the emperor made so good use of the secular arm, that his holiness was driven out of Italy, and had taken refuge in Lyons.

† These commissioners or ambassadors were Laurence de St. Martin, on behalf of the king; and earl Roger Bigod, John Fitz Geoffrey, Walter de Cantelupe, Philip Basset, Ralph Fitz Nicholas, and William Powerie, a clergyman (who also acted

as secretary of the embassy), deputed by the nobility.

‡ When the pope had a mind to dispose of a benefice, he inserted in his bull this clause, "*Non obstante, &c. i. e. the right of patronage, or any other privilege to the contrary, notwithstanding.*" A clause which entirely annihilated the rights of bishops, abbots, monasteries, and lay patrons. Matthew Paris terms this a violent oppression, an intolerable grievance, and an impudent exaction. Nevertheless this very clause, copied from the court of Rome, in a few years crept into the king's charter, as will be seen in the course of this History.

III. That

III. That the pope oppressed the churches, by exacting pensions from them.

IV. That when an Italian ecclesiastic died, his benefice was immediately bestowed on one of the same nation, as if the Italians had a right to possess such a number of benefices in the kingdom: that whereas the Italians were invested without trouble or charge, the English were forced to go and prosecute their right at Rome, contrary to the indulgences granted to England by former popes.

V. That in churches filled by the Italians, there were neither alms nor hospitality; neither were there any preaching, and the care of souls was entirely neglected.

VI. That the clause of *Non obstante*, generally inserted in all bulls, absolutely destroyed all laws, customs, statutes, and privileges of the church and kingdom.

The ambassadors being returned from Rome about the middle of July, a parliament was held at Winchester to receive their report, when it appearing that the pope, instead of regarding the remonstrances that had been made to him, had treated the deputies with great contempt and disdain, and, instead of abating, had risen in his demands*, nay, had not scrupled openly to declare that he would proceed to the same extremities against Henry as he had done with the emperor, the king immediately issued orders for stopping all farther payments to the pope.

This year died Isabella, the king's mother, a lady to whose character fame has not been obliging. And the office of earl-marshal of England was now revived in the person of Hugh Bigod, earl of Norfolk, who had married Maud, eldest daughter of the deceased William, earl of Pembroke and earl-marshal.

The year 1247 was opened by a parliament for the redress of grievances; but the pope having found means to gain over the prelates to his side, nothing of consequence was done, and he still continued his intolerable exactions. But at length Henry, wearied out with the continual complaints of his subjects, issued out a royal writ, by which several regulations were made, and commanded to be strictly observed. These tended in general to render the laity more independent of the ecclesiastical power; and to limit the authority of the latter, even in spiritual cases: but this shew of resolution, on the part of Henry soon proved to be no more than grimace, and the effect of a secret collusion; for the pope still continued to send over fresh recruits of Romish leaches, who fastened on the very vitals of the people, without the king once interposing his authority to drive them out of the land; nay, this very year Innocent, the supposed enraged Innocent, wrote letters to the

great men of England, exhorting them to supply the king's necessities with submission and cheerfulness.

To complete the misfortunes of the English, a number of needy foreigners of great distinction, and most of them nearly related to the king, came over this year, in expectation of having their necessities supplied by English money. Among these were Baldwin, emperor of Jerusalem, and three of Henry's half-brothers, Guy de Lusignan, William de Valence, and Athelmar or Aymar, sons of the count de la Marche, with their sister Alice. These were all to be provided for by places, pensions or alliances; and this surcharge of expence kept Henry in perpetual penury, so that he found himself once more under the disagreeable necessity of having recourse to his parliament for a supply†.

The assembly met in the beginning of February, 1248; but when the king came to require from them a pecuniary aid, they answered only by rebukes, and many charges against him for breach of promise, infractions of his charters, and that mad partiality for foreigners which had led him into the most ruinous expences, and had subjected his people to the most grievous imposts. With what justice they urged these complaints, and how shameful Henry's conduct had been in this respect, may be gathered from the following article, to which he was not able to make any satisfactory excuse: they openly told him, that he had obliged several noblemen of the best blood in his kingdom to marry foreigners, in no wise suitable to their own ranks or fortune, in direct violation of the very essence of the marriage bond, which is free and mutual consent. He was likewise charged with having discouraged commerce, by the oppression of merchants, whose effects had been frequently confiscated on iniquitous pretences by his officers, acting immediately under his orders. The clergy, in their turn, upbraided him with keeping vacant benefices in his own hands: and he was, moreover reproached with having bestowed the prime offices of the state on persons not qualified, without vouchsafing to consult his parliament.

Henry, penetrated with the justness of these allegations, could reply only by the long-hackneyed professions of inviolably observing all the articles of the Great Charter; but the assembly had too well experienced his dissimulation on the like occasion, to put any confidence on his promises, and told him, that whenever he should truly begin to prove himself the father of his people, he would always find them ready to minister to his real wants with all the affection of dutiful children; but, till then, they were resolved to withhold their hands. The king, therefore, finding no hopes of bringing them to a better temper, adjourned the parliament till a fortnight after Midsummer.

* For now he offered to accuse the clergy of having extorted this letter from the king by their importunities; and took occasion to load them with new and unheard-of taxes. He not only compelled the bishops to sign the emperor's excommunication, but also endeavoured, in violation of the laws of the land, to oblige English gentlemen to try their causes before foreign judicatures; he enjoined the bishops, on pain of excommunication, to furnish a number of knights to serve in the army of the church, a whole year, at their own expence; and, by his sole authority, he granted the profits of all the vacant benefices, within the province of Canterbury, for one year, to archbishop Boniface, to the prejudice of the lawful patrons. He exacted the six thousand marks which had been assessed on the prelates by his nuncio; the twentieth of

all ecclesiastical revenues, according to a decree of the council of Lyons; one third of the income of all benefices, whose yearly value exceeded one hundred marks; and a moiety of the prebends and livings of non-resident canons and clergymen. All these exactions, according to the best calculation, amounted to eighty thousand marks; a sum thought equal to the whole specie of the kingdom; and as this was to be exported for three years successively, it could not fail to involve the nation in the utmost calamity and distress.

† This year William, earl of Holland, a young prince of twenty years of age, was elected king of the Romans by the intrigues of the pope, who had deposed Frederic in the council of Lyons. M. Paris. M. Westm.

Though urgent necessity had cramped the tongue of Henry in expressing his resentment for this freedom taken with his conduct, yet, in fact, these bold censures, and the disappointment he met with in the hoped-for supply, had soured him so much, that he let slip no opportunity of manifesting his dislike to the English, by every ill usage in his power. In this unhappy disposition he was but too much encouraged by the foreign sycophants who swarmed about his court, and who, bred up in the mean principles of passive obedience, looked upon every effort of an oppressed people to maintain their rights and privileges, as no less than open rebellion. Tutored by those pests to a free state, Henry assumed an extraordinary courage, of which he was naturally incapable. When the parliament met, pursuant to its prorogation, he accosted them in a manner which surprized (though without intimidating) every one present. He upbraided them with treating him as their slave rather than their king, and pretending to impose conditions upon him, to which the lowest of them would scorn to be restricted, even in the management of their own family. "Is not every one of you (said he) absolutely master of chusing his own servants, whom he may reward or put away according to his pleasure or their merits? Shall I then, who am a king, be dictated to, in the choice of my friends and counsellors; and must the stream of royal favour and bounty flow only through such channels as my subjects shall please to point out?" In short, he declared, that, so far from changing his ministry at their pleasure, he meant to be master in his own kingdom, and that it was their duty to obey*. He concluded, however, somewhat more mildly, promising that, at a proper opportunity, he would consider of, and redress, all their actual grievances; but that, for the present, he expected they would furnish him with supplies, to enable him to recover his patrimonial dominions in France: "a procedure, he told them, that would better manifest their wisdom, as well as justice, than those endeavours to elude the equitable demands of their sovereign, by impertinently scanning even his domestic conduct."

The parliament had met this second time in a worse humour, if possible, than they had been in before, owing to the king's behaviour during their prorogation; it was, therefore, no wonder, if this stately declaration of the king's, and the invectives he had thrown out against their proceedings, exasperated them still more. They replied with a warmth equal to his, and told him, without reserve, "that they were determined no longer to be flattered or menaced to impoverish themselves to feed the avarice of foreigners, under the notion of imaginary conquests;" and concluded with reminding him of his behaviour and œconomy during his last expedition to France.

This answer leaving the king no hopes of obtaining succour from this quarter, he dissolved the parliament immediately, lest they should proceed to more disagreeable resolutions. In the mean

time, as his coffers were quite exhausted, he was obliged to sell his plate and jewels, which immediately found purchasers among the citizens of London; a circumstance that piqued him greatly, as they had always pleaded poverty when he had asked a supply.

In revenge for this supposed affront, and that he might conciliate the affections of at least one part of his subjects, he gave orders for proclaiming a new fair to be held at Westminster, with a kind of exclusive privilege, by which no fair could be held in any other part of England during the fifteen days this was to continue.

Among the many disorders in the kingdom, there prevailed one at this time, which was severely felt by the middling and lower class of people: the money was so shamefully clipped by the Jews, Flemings, and money-changers, that no one piece was worth above half its nominal value. This obliged the government to call in all the light money for recoinage; but Henry's needy court laid hold even of this public distress, and improved it to its own emolument; for the people were obliged to allow a discount of no less than thirteen pence in the pound for the bare coinage. But not all the ways Henry and his false friends could devise for scraping together cash, were by any means sufficient to supply his wants; he therefore had recourse to another expedient.

In the beginning of the year 1249, the king declared his intention of invading France, for the recovery of his patrimonial inheritance there; and demanded a supply from his subjects for purpose. He had already met with too many rebuffs, and those of too humiliating a nature from his parliament, for him to think of applying to them for money. He first demanded and obtained from the city of London an aid, by way of New Year's gift, amounting to two thousand pounds sterling. He also endeavoured to borrow sums from private persons, upon a promise to reimburse them out of the estates which he intended to reconquer in France; but met with little success.

Shortly after, the bishopric of Durham becoming vacant, Henry pressed the convent to make choice of his half-brother Athelmar for their bishop; but the monks, instead of complying with his request, begged leave to remind him of his frequent promises to leave to the church the freedom of elections; and at the same time objected to the person he recommended, as not being of a sufficient age or capacity to govern so extensive a diocese. Henry, incensed at their refusal, told them, "that, since they thought his brother too young, he would keep the bishopric in his own hands till Athelmar should be of a fit age to fill it." The following year, however, he got him elected into the see of Winchester.

This year is distinguished by the deaths of two great personages, frequently mentioned in this history: Alexander II. king of Scotland (who was succeeded by a son of the same name, a

* This reasoning is calculated to impose only upon weak minds, who look no farther than the outside of an argument. It may, indeed, do extremely well in despotic governments, where the sovereign considers his subjects only as so many animals created merely to minister to his appetites and passions; but it is to the last degree absurd in a limited monarchy, where even the meanest individual has the same right to his life, his liberty, and property as the greatest personage in the

kingdom. If a master of a family employs bad servants, he, and he alone, can suffer by such a step: but if a sovereign commits the management of public affairs to weak or worthless ministers, every member of the society is affected, and every member of the society has a right to remonstrate, and to persevere in those remonstrances, till the grievance is redressed.

minor); and Hugh le Brun, the famous count of la Marche.

About this time a rebellion having broken out among Henry's Gascon subjects, Simon de Montfort, earl of Leicester, was sent to reduce them; who acquitted himself of his commission with great reputation and success: and the peace of the country being again restored, he returned to England.

In the beginning of the following year, 1250, Richard, earl of Cornwall, the king's brother, set out, with a magnificent retinue, to confer with the pope, who was still at Lyons. This journey, and the extraordinary honours paid him by the pope, afforded matter for divers speculations which exercised the wits of the politicians of those times: but the real motive was not cleared up till some years after, when this prince was, by the same pope, invested with the dignity of king of the Romans.

Soon after Easter, the earl being returned from his interview with his holiness, the great barons held an assembly amongst themselves, to concert the proper means for obliging the king to fulfil his repeated promises in filling up the great offices of chancellor, justiciary, and high-treasurer with such persons as should be most agreeable to the nation and the parliament; but the instant they thought themselves most secure of establishing this favourite point, they found all their measures disconcerted by the earl of Cornwall (whom they considered as their chief support) deserting their party, and retiring to his own estates in Cornwall.

Notwithstanding the many fatal examples of impracticable crusades and unavailing expeditions, that pernicious spirit still prevailed in Europe. Lewis, king of France, was already in Palestine, at the head of a numerous army, gathering laurels there against the Saracens: and this year Henry, though oppressed with debts, and at variance with his parliament, assumed the cross, and professed himself a soldier of Christ; but, in all probability, this step was the effect of some other motive more cogent than religion: perhaps he saw no fairer prospect of paying his debts, than that of obtaining a subsidy on pretence of equipping an armament for Palestine; or else he was desirous of putting himself under the pope's protection, which he thought would secure him from any designs that might be hatched to his prejudice.

However this might be, the king had no sooner assumed this badge, than his example was followed by five hundred knights, some of whom sold their

estates to defray the expence of their voyage, and therefore were anxious for setting out immediately; but Henry, who was in no such haste, gave them to understand that they were not to cross the seas until he himself should be ready to depart; and this prohibition was, at his desire, confirmed by the pope. At the same time his holiness indulged him with the grant of a tenth of all ecclesiastical revenues in England and Ireland, for three years, to be levied and deposited under the care of certain of the bishops, till the king should be ready to prosecute his voyage.

Henry likewise set himself to work to amass money, on pretence of this expedition, by every possible method he could devise: he retrenched the expences of his household; ordered a strict inquisition to be made into trespasses on the royal forests; appointed commissioners to examine into escheats, and alienations of the crown demesnes; and laid a heavy talliage on the Jews, who were always sure to be fleeced whenever the king was in want of money †. And that nothing might be left undone that could possibly alienate the affections of the people from the government, the pernicious clauses of *Non obstante* were admitted into his charters: for the rise and meaning of this term, the reader must consult the note *.

The year 1251 was ushered in with the melancholy news of the defeat of the crusaders in Egypt. Lewis had met with some trifling successes in the beginning of this expedition, which were soon followed by a train of disasters. Having given the Infidels battle near Damietta, his army had been entirely routed, and himself and his two brothers taken prisoners: there fell likewise in the same battle the following persons of note, Ralph de Cuscy, Hugh, earl of Flanders, the earl of Ponthieu, Robert de Vere (who, with two hundred English knights, had attended Lewis in this crusade), and about eighty thousand common men.

As the first successes Lewis had met with, had raised the expectation of the French to the highest pitch, so this reverse of fortune sunk them in proportion. The first emotions of their resentment were against the pope, whom they openly charged with being the cause of their monarch's disgrace, by absolving for money those who had taken the cross, from performing their vow. Innocent, conscious of the truth of this accusation, dreaded an attempt upon his person, should he remain longer at Lyons, whither Charles and Alphonso, brothers of Lewis, had come in person, to upbraid him in the most outrageous manner. To free himself from

† Indeed the tax with which these people were saddled, may be considered as an act of justice, rather than oppression: they had been deeply concerned in debasing the coin, and convicted of forging false deeds; and it was for a crime of this last nature that Aaron of York was fined in four marks of gold and fourteen thousand of silver.

* The occasion was as follows: in those days, says Paris, *ad annum 1251*, when a suit of law was commenced between Sylvester, bishop of Carlisle, and a certain baron, for a manor which the baron had sold to Walter, the bishop's predecessor, and would have resumed it again; Sylvester, the bishop, answered prudently for himself; for his adversary, though his procurators were present, was at that time beyond the sea. The bishop therefore obtained the king's letter of protection, during the absence of the baron, and so returned home joyful. But the adverse party, though keeping silence then, yet, when the bishop was afar off, obtained other letters from the king, that, *Non obstante* the former letters of protection, the baron's cause should go on, "*Quod factum fuisse non creditur, sine nummorum opitulatione;*" which he is supposed to have

obtained by paying well for it. And he farther tells us, that such letters or writs were frequently issued out, in which this detestable clause was inserted, "*Non obstante* our first letters," or "*Non obstante* the antient liberty, procedat negotium." Besides this, there crept this finistrous interpretation mentioned in writings: for example, if the words ran thus, "*We grant this or that liberty to such religious house,*" and the house was expressly named; and then followed, "*and to all the manors thereto belonging,*" if the manors themselves were not distinctly specified, that clause was construed to be of none effect. But the monk saith, that such construction was manifestly dissonant to reason and all justice; nay, and contrary to the rules of logic, the infallible searcher out of truth: which when Roger of Turkeley, a good man, and justiciary at that time, observed, fetching a deep sigh, he said, with respect to inserting the said clause, "*Alas, into what days are we fallen! Behold the civil courts follow the example of the ecclesiastical, and the stream is infected from this poisonous fountain.*" Petyt's *Jus Parliamentar.* p. 80.

this troublesome situation he applied to Henry for leave to reside at Bourdeaux: the passage between this place and England was ready and easy; the clergy and the barons, who by no means desired his holiness's company here, remonstrated so effectually on the fatal consequences that might arise, in regard as well to his own authority as the quiet of the people, should he acquiesce, he answered his holiness, that the request was of such a nature as demanded farther consideration: and the death of the emperor in the mean time, with the measures taken by the court of France, soon put an end to this affair.

Henry de Bathe, one of the judges, who had acquired an immense fortune in his post, was this year accused by Philip d'Arcy, in the king's court, of bribery, in having released a criminal, capitally convicted, for a sum of money; and the allegation being proved, he was fined twenty thousand marks, to be paid at twenty different terms, by equal portions. The Caufini, a company of Italian usurers, who pretended to be the pope's merchants, were prosecuted, about the same time, for their excessive usury, frauds, and exactions; and the charge against them being too notorious to be denied, they were convicted, and sentenced to suffer imprisonment and to pay a large sum of money by way of fine.

This same year also the city of London purchased, for five hundred marks, the privilege of having her mayor sworn in before the barons of the Exchequer, and not before the king in person. Henry likewise anew confirmed to them their rights and privileges; and the citizens, in return, swore an eventual allegiance to prince Edward, whom, on this occasion, they presented with a sum of money by way of free-gift*. Moreover, Alan de la Zouch gave eleven hundred marks for the government of that part of Wales which was reduced.

These were very convenient supplies for Henry, who wanted them on various occasions. Simon de Montfort, earl of Leicester, had made considerable progress in Guienne; and now returning to solicit a supply of money for prosecuting his success, he was sent back with three thousand marks, with which he raised a body of Brabanders and crossbowmen, who contributed to the reduction of the malcontent barons in that province.

There were likewise some apprehensions of a war with Scotland; the young king, Alexander III. having began to secure some places on the borders of England, and seemed to threaten an invasion. Upon which Henry advanced, with a numerous army, into the North, to stop his progress; but, before he proceeded to hostilities, he sent John Mansel to treat of an accommodation, which was easily effected, by concluding the match between the princess Margaret, Henry's eldest daughter, and the young king of Scotland (which had been long before agreed upon between the two fathers), who repaired, with a safe-conduct, to York, on a visit to the English monarch, by whom he was received with great distinction; and on Christmas-day Henry conferred on him the honour of knighthood.

The next day the young couple, each of them in the tenth year of their age, were married with

great pomp and splendor, the queen-mother of Scotland, and most of the nobility of the two kingdoms, assisting at the solemnity. Alexander, on this occasion, did homage to Henry for Lothian and the other territories which he held of the crown of England; but when Henry pressed him to do it, like his predecessors, for the whole kingdom of Scotland, he excused himself from doing any thing in an affair of so great importance, and that had been so long a subject of contest between the two nations, till he had deliberated thereupon and taken the advice of his parliament. Henry was, or appeared to be, satisfied with this excuse, and made the earl-marshal wave his demand of the king of Scotland's horse, which he claimed as a perquisite of his office; and Alexander, having received a bond of five thousand marks as the portion of his wife, returned to Scotland, taking her along with him. The young queen was accompanied thither by Maud de Cantelupe and some other ladies, who were appointed to superintend her education.

Having thus provided for the tranquillity of England, Henry converted his whole attention to the voyage he had undertaken; but, to his great mortification, found his departure delayed by the disturbances in Gascony. Deputies now arrived from that province, complaining of the oppressive rule of the earl of Leicester. The earl was not long before he came to England after them, and, presenting himself at court, denied all that had been laid to his charge; adding, that it was a matter of no small surprize to him, that the king should so readily listen to ill-natured and groundless accusations against a person who had served him so faithfully, and spent all his estate in a post, in which others were wont to enrich themselves. Henry assured him he did not believe the charge against him; and that, in order to convince others of his innocence, he would forthwith send commissioners into Guienne, to examine into the conduct of the people. In the mean time he supplied him with a sum of money, and desired he would hold himself in readiness to return again to his government.

The Gascons, apprized of Henry's intention, sent the archbishop of Bourdeaux to renew their complaints and desire another governor: and during this prelate's abode in London, the commissioners the king had sent to Gascony returned, and made a report very favourable to the earl of Leicester.

Though this report seemed a full vindication of the earl's innocence, yet the archbishop, who had entertained a pique against him, was perpetually representing to Henry, that the inhabitants of Gascony had taken such an implacable hatred to their governor, that, if he was sent back to reassume that office, the whole country would immediately take up arms, and the province might be irrevocably lost to England.

Henry, who was a weak and wavering prince, was so struck with these representations, that, to secure the allegiance of the Gascons, he resolved to sacrifice their governor to their resentment, and ordered the articles of his impeachment to be carried before his peers, that he might be tried by the laws of the

* The necessities of Henry were, in some respects, useful to his subjects, who notwithstanding all the exactions of the pope and the king, cannot be denied to have, all this time of

peace, carried on a great and extensive trade, while the rest of Europe was torn in pieces by domestic broils, or involved in mad and destructive crusades.

kingdom. Leicester could not without surprize behold this sudden change in the king's disposition towards him; and, not to be wanting to himself, he applied to Richard, earl of Cornwall, and the earl of Gloucester, to engage them in his interest: his endeavours had the desired effect; the two earls openly espoused his cause, and found means to engage several other lords of great credit to join in supporting him. Probably they might imagine this a favourable opportunity to make a party against the court, whose proceedings had so long been obnoxious to the more virtuous and sensible part of the nation. Be that as it may, when the archbishop of Bourdeaux, who had the managing of the charge against Leicester on behalf of the Gascons, came into court, he found the stream run so strong in favour of the earl, that he was at a loss how to maintain his accusation, and therefore dropped the prosecution: upon which the judges (who, indeed, seemed resolved beforehand to acquit the defendant) declared the earl innocent of the charge brought against him.

Henry was so enraged against the partiality of the bench, and the air of triumph that he saw, or thought he saw, in Montfort's countenance, that he could not forbear shewing his displeasure, and even dropping some expressions reflecting upon the party accused. The earl on his side, thinking himself hardly treated, put the king in mind of the services he had done him, and concluded with calling upon him to perform his royal word, by rewarding him according to his promise. This begat some altercation, in the course of which the king called him traitor; and the earl, carried away by his passion, had the insolence to tell the king he lied, in plain terms. Henry, justly incensed at this abominable insult upon sovereignty, would have arrested him on the spot; but finding the earl's friends began to grow clamorous, and even put themselves in a posture to defend him, he was obliged to put up with the affront he had received, on Montfort's making some slight submission: however, the earl's insolence made so deep an impression upon his mind, that he could never after behold him without horror*.

Notwithstanding the just resentment Henry had conceived against this imperious subject, he found himself in some measure necessitated to send him back to Gascony, to reassume the government there; at the same time he was obliged to use every art to keep those people in a tolerable humour upon the occasion, by representing Montfort's great interest in this kingdom, and by assurances that he only waited for one single additional instance of his maladministration to remove him for ever from all posts

under the crown. The king could not, however, suffer Montfort to depart without giving him an hint of his disposition towards him: accordingly, when he appeared at court to take his leave, he said to him, "Sir, as war and broils appear to be so much your inclination, you are now going where you may have full scope to indulge it, and where, perhaps, you may meet with the rewards due to your merits, in like manner as your father did before you." Montfort, stung to the soul with this reproach of his master, replied, "That he would go over, and never return till he had effectually subdued the rebellious subjects of an ungrateful prince."

In the mean time the earl of Cornwall, being highly disgusted with Henry's manner of proceeding, withdrew himself altogether from court. This defection, which would have not a little embarrassed any other prince than Henry, was by him made the handle for more effectually compassing an end he had long kept in view, namely, that of bestowing Gascony upon his son Edward. He now called together the Gascon deputies, and, in a cajoling speech, laid before them the ill treatment he had received from his brother, and how little this latter (who had been the idol of that people) was deserving their regard; concluding, that he was resolved to take them altogether under his protection, and that for this purpose he desired they would forthwith submit themselves to his son, by paying him homage: at the same time, doubtful whether his eloquence would work the desired effect, he accompanied his remonstrances with most magnificent presents, which at last determined the deputies to pay homage (but not fealty) in the name of their constituents, to the young prince. The difference between these two terms the reader will find in the annexed note†.

It is to be observed, that the government of Gascony had been conferred upon the earl of Leicester, by charter, for a specified term, and that three years were yet to come of its expiration, so that the bestowing the government of this province upon prince Edward to the detriment of the earl's right, was grievously resented by the parliament, who expressed their mind so freely on the occasion, that Henry, apprehensive they might proceed to some resolutions disagreeable to him, thought it the most prudent method to dissolve an assembly which seemed so little inclinable to second his designs.

Henry now had recourse to the clergy, and endeavoured, by every possible method, to prevail on them to open their purse-strings, as he despaired of being able, for some time at least, to get any money from the parliament. For this purpose he closetted many of them in private, to whom he made a long detail of his necessities, and how requisite it

* Which is the less to be wondered at, as this is doubtless the only instance of a subject's giving his sovereign the lie to his face; and so extraordinary a fact would be hardly credible, if not unanimously attested by all the English historians.

† Homage, as we understand it in our laws, is of two sorts; the one more antient, called *homagium legium*, sovereign homage, and is due only to the king in right of sovereignty, and answers to our modern oath of allegiance; the other is called *homagium feudale vel prædiale*, performed by the vassal or tenant to every feudal lord, in consequence of his superiority of the fee and services arising from it, and was introduced by the feudal law in William the Conqueror's time. Thus, as a learned modern observes, when a baron, or other tenant in chief, had done homage to the king, it was incumbent on him to do fealty to the king likewise. The homage was without oath, the fealty upon oath. When a man had done his fealty, then, according to the feudal dialect, he was properly said to be, a *fidelis*, *un homine de foy*, the king's liege man. In the feudal institution, homage was of great

weight; and the doing of homage and fealty so necessary, that lordship and tenancy could not subsist without it. The form of doing homage was thus: The vassal held his hands joined between the hands of his lord, and said, "I become your man from this day forward, for life and limb, and for earthly honour; and I will bear faith to you for the earthly tenement which I hold, and claim to hold, of you; saving the faith which I owe to our lord the king, and to my other chief lords." Where, by the vassal's hands being joined close between the hands of his lord, is meant, on the part of the superior, protection, defence, and warrandice; and on the part of the tenant, subjection and reverence. But when a freeman did fealty to his superior, he held his right hand upon the book, or Gospel, and said thus: "Hear you this, my lord R. that I (T.) will be faithful and loyal to you, and will bear faith to you for the tenement which I claim to hold of you; and I will loyally do and acknowledge the customs and services which I ought to do to you, as the terms assigned me: God help me and his saints." Madox Baron. Angl. lib. iii. cap. 6.

was that they should contribute towards his intended expedition to the Holy Land; at the same time producing monitory and pressing letters from the pope, that they would not, by an ill-timed parsimony, frustrate an enterprize so much to the honour and interest of holy church. All his remonstrances, however, proved in vain; the clergy excused themselves from doing any thing upon the occasion without the consent of their primates, of whom him of Canterbury was beyond sea, and the archbishop of York absent, for reasons then unknown.

Finding himself thus disappointed by those he thought to gain over in a moderate way, this prince, who seems to have had a particular talent at ill-timing all his undertakings, in revenge promoted to all the church-livings in his gift, foreigners divested of every requisite of birth, character, or learning: at the same time he exacted a fresh tax of twenty marks of gold from the Londoners, which he levied with uncommon severity. These unconstitutional steps created the bitterest animosities between him and his subjects; and the bishop of Lincoln, who was a sworn enemy to all courtly and papal exactions, ordered a fresh estimate to be made of the revenues enjoyed within England by foreign clergy, which were found to amount to no less than seventy thousand marks a year; and not only so, but it appeared that John Mansel, one of the king's favourites and principal engines, was in possession of the revenues of seven hundred vacant benefices, worth upwards of four thousand marks per annum.

About the beginning of the year 1253, Henry, who had still in view the displacing Montfort from the government of Gascony, took occasion to declare that his son Edward should shortly go over to take upon him the management of affairs there, in virtue of the feudal homage which had been done him by the inhabitants. This report, and the precarious footing upon which the earl of Leicester then

found himself, induced that nobleman to resign the unexpired term of his lieutenancy for a consideration in money. The resignation of Montfort, and the report of his being succeeded in command by a boy (prince Edward), encouraged Alphonso, king of Castile, to set up a claim to that county, in virtue of a charter granted, or pretended to have been granted, by Henry II. and confirmed by succeeding kings, to the family of Castile.

In consequence of this claim, early in the spring, he made himself master of Chateau Reole, with several other important places; and, being joined by Gaston de Bearn, and other malecontents among the Guienne nobility, he threatened the city of Bourdeaux, which still remained faithful to Henry, who saw, when it was too late, his bad policy in removing Montfort from that government. In all probability that whole province would have been lost to England, either by conquest or revolt, had not a spirit of dissention split the Gascons into so many factions that Henry found himself at leisure to attend to his affairs in England, just as he was on the point of going over in person to save the country.

The king's necessities were now so craving, that he was, fore against his will, obliged to convene a parliament, which met fifteen days after Easter, 1253, when Henry laid before them his wants; and, after many representations on the side of the assembly, relating to the king's bad conduct, and the most solemn asseverations on his part of an amendment, it was resolved to grant the king a tenth of all ecclesiastical revenues, and a scutage of three marks upon every knight's fee, to be paid as soon as he should embark with his army for the Holy Land, in view of his great men. On this occasion Henry confirmed, in the most solemn manner, his promises of inviolably observing the two charters, subjecting himself, in the most awful manner, to anathema and excommunication if he ever attempted to recede therefrom*.

But

* As the remaining part of the relation of this great transaction seems to have been extracted from the minutes of parliament itself by Matthew Paris, who had the privilege to be present at the time with pen and ink, to write down what had occurred, I shall give the words of that historian in English.

"In the great hall at Westminster, in presence, and with consent of our illustrious lord Henry, by the grace of God, king of England, and the following noble lords, Richard, earl of Cornwall, his brother; the earl of Norfolk and Suffolk, marshal of England; the earl of Hereford, the earl of Oxford, the earl of Warwick, and other peers of the realm; and of us, by the divine blessing of God, Boniface, archbishop of Canterbury, primate of all England; the bishops of London, Ely, Lincoln, Worcester, Norwich, Hereford, Salisbury, Durham, Oxford, Carlisle, Bath, Rochester, and St. David's; all clothed in our pontificals, with lighted torches in our hands, have pronounced, in a solemn manner, the following sentence of excommunication against all transgressors of our liberties, both ecclesiastical and civil, of the free customs of the kingdom of England, and especially those contained in the great Charter of Forests." [Here John's charter is inserted.] "We, by authority of almighty God, and of the Son and Holy Ghost, and of the glorious mother of God the Virgin Mary; and of the blessed apostles Peter and Paul, and of all the apostles; and of St. Thomas, archbishop and martyr, and of all the martyrs; of St. Edward, king of England, of all the confessors and virgins; and of all the saints of God, do excommunicate, anathematize, and from entrance of holy matter forbid, all those who, in any wise, shall deprive or rob the churches of their right; also all those who, by any art or device, shall rashly violate ecclesiastical liberties, or the ancient and established customs of the realm, and especially those contained in the Charters of all the Liberties of England, and in the Charter of Forests, granted by our sovereign lord the king of England, to the archbishops, bishops, and prelates of England, the earls, barons, knights and free tenants; or shall

change the same, or any part of them, in any manner or way privately or publicly, either by deed, word, or design. Also against those who shall either publish or introduce other customs, contrary to the said liberties, or the statutes of the same; or shall observe such customs introduced: as also against the writers of such statutes, counsellors, and executors, or whoever shall presume to judge according to them. All and singular the persons above-mentioned shall, in fact, incur this present sentence, who shall knowingly contravene the same; if, within fifteen days after the term of warning, they do not conform themselves, and give full satisfaction for their misdemeanors, according to the just judgment of the ordinaries, then they shall be deemed included in the sentence. And within the same we also involve all those who shall presume to disturb the peace of the king and kingdom. In perpetual remembrance of which, we have caused our seals to be appended to the same." [Thus far the record; what follows are words of Paris.] "The charter, therefore, of his father king John was publicly produced, in which king John granted, and willingly confirmed, the aforesaid liberties, which he then ordered to be recited. Now, when Henry heard the aforesaid sentence, he held his hand upon his breast, with a placid, willing, and cheerful countenance. At last all of them threw out of their hands the extinguished smoking candles, and each one present said, "So let them be extinguished and sink in hell, who shall incur this sentence." The bells were then rung, and the king himself said, "So may God help me, as I shall faithfully observe all those articles, as I am a man, as I am a Christian, as I am a knight, and as I am a crowned anointed king." We are farther to remark, that when sentence was first begun to be pronounced, the king, among the others, had a lighted candle put into his hands; but he refused to hold it, and gave it to one of the prelates, saying, "It becomes not me to hold such a candle, for I am not a priest; but my heart beareth a stronger testimony." He then put his hand upon his breast during the whole time the sentence was pronouncing;

But Henry was one whom no oaths, however sacred in themselves, or solemnly enforced, could ever bind longer than he gained his ends: accordingly, this parliament was no sooner dissolved than he cast about for means to elude his engagements. His foreign favourites were always at hand and ready to encourage him in these intentions; and now they were continually buzzing in his ears, that he had reduced his royalty to a shadow by the late restrictions he had laid himself under: they advised him to apply to the pope, who, for a few hundred pounds, would absolve him from the oath that had been extorted from him by the urgency of his circumstances. These suggestions worked but too deeply in the heart of this weak prince, who, as he had been all his life-time the victim of pernicious counsels, embraced this immediately, regardless of what honour and religion required of him, and, hurried away by his inclinations, which hindered him from reflecting on the abyss of misery into which he was going to precipitate himself by this step, alike unwarrantable before God and man.

Henry now laid out the money granted by the parliament for the voyage to the Holy Land, in preparations for his expedition into Gascony. Previous to his own departure he sent a messenger to inform the citizens of Bourdeaux, and the other Gascons who still continued in his interest, that he would very shortly come over to support them in person. He kept his word; for, in the beginning of June, he summoned all his military tenants to attend him at Portsmouth, where no less than a thousand transports lay ready to take on board the troops; and having appointed the queen and the earl of Cornwall, once more returned to court, co-regents of the kingdom in his absence, he set sail, in the beginning of August, with a very fine army.

Upon his arrival at Bourdeaux, he advanced to besiege Reole castle, then in the hands of the rebels and Castilians, which he quickly reduced, together with several other places that had been either given up to, or taken by, the enemy. And, indeed, Henry seems to have surprized his adversaries on this occasion, by an uncommon alacrity; while they, trusting to his long-experienced indolence, had neglected to take necessary precautions against this unlooked-for visit. Be that as it might, Henry, who on all occasions chose to compass his ends by the smooth arts of negociation, rather than by the dangerous and precarious efforts of the field, sent the bishop of Bath and John Mansel ambassadors to the court of Castile, to propose not only a treaty of peace between Alphonso and himself, but a marriage between prince Edward and Eleanor, princess of Castile. The ambassadors acquitted themselves so well of their commission, that they not only brought the king of Castile to accept of both these proposals, but also, in consideration of the intended alliance, to make a solemn renunciation of all his claims upon Henry's territories in France*.

Henry had next recourse to a mean stratagem, worthy only of his genius, and which, like most of

his other attempts of this nature, failed of the desired effect. Carefully concealing the treaty he had lately made with the king of Castile, he publicly gave out that he was under apprehension of a powerful invasion from that prince; and sent to his queen and earl Richard, his brother, to summon a meeting of the parliament, and demand an aid†: the assembly, who had received intimation of the treaty with Alphonso, refused any pecuniary supply; but the lay nobility came to a resolution to meet, in the beginning of May, at Portsmouth, where they would take shipping for Gascony, and assist the king in the defence of that province to the last drop of their blood, provided that it should be invaded by the king of Castile: the prelates of Canterbury, Winchester, London, and Worcester, engaged to serve in person; and the other bishops promised a supply in money, in case of such invasion actually taking place. The earl of Cornwall hereupon sent over a letter to Henry, containing this resolution of the parliament.

This was not what Henry wanted; and, in a fit of rage and vexation, he wrote to the regents to call the parliament together again, and repeat his demand for a supply, pretending that his fears of the Castilian invading Gascony were every day confirmed: but, unluckily for this shuffling prince, the earl of Leicester coming over to England in the interim, revealed the whole secret of the contract of peace and marriage; which being then publicly known, neither the queen nor earl Richard durst press the parliament any farther.

Henry being thus disappointed, wreaked his revenge on the Jews, who were now, by his orders, most shamefully oppressed, without even the permission of conveying themselves and effects out of England, for which their distresses drove them to petition.

As soon as the queen had received certain advice from her husband, that her son's marriage was concluded, she embarked with prince Edward for France, the latter end of May, and, after a short passage, got safe to Bourdeaux, where the prince, then in the sixteenth year of his age, ratified upon oath what had been transacted on his behalf by the ambassadors of his father. And all things being adjusted by the latter end of August, he went to the court of Castile, where he was received with the greatest honours. After passing some time there, and having solemnized his marriage, he returned into Gascony, to his father, who settled upon him an appannage of fifteen thousand marks per annum, to be paid out of certain lands granted him in Gascony, Ireland, and England.

Henry having nothing more to do in Gascony, prepared for his departure; but not being willing to hazard the dangers of a long passage by sea, as the winter season was now setting in, he desired leave of Lewis, the French king (who had lately purchased his liberty of the Infidels, and was returned home), to pass through his dominions, and embark at Boulogne. Lewis, with great politeness, granted all Henry could desire; and, in order to

nouncing; but Robert, bishop of Lincoln, foreboding in his own heart, and fearing that the king should start from his promises, ordered the sentence of excommunication to be solemnly pronounced against all (especially priests) who should infringe the foresaid charters, throughout all the churches of his diocese. A sentence so dreadful in its manner of promulgation, as to make the ears of all who heard it to tingle." *Mat. Paris*, fol. 867, 868.

* The bishop of Bath, and Mansel, the king's agents in this affair, brought back a charter of renunciation, sealed with a golden seal, which is still preserved in the king's archives, in the old chapter-house at Westminster; and is inserted in *Rymer's Fœdera*, tome i. p. 531.

† This parliament was summoned and met on the twenty-seventh of January, 1254.

do him the greater honour, he met him at Chartres, and conducted him to Paris, where the king of England and his retinue, which was very splendid, was most magnificently and cordially entertained; and, after a stay of eight days, he embarked at Boulogne for England, where he arrived on the twenty-seventh of December, at Dover; and on the fifth of January, 1255, made his entry into London, the citizens of which presented him with one hundred pounds and a massy piece of plate of exquisite workmanship: but he did not seem satisfied with this offering, for in a few days he fined them in three thousand marks, on account of the escape of a priest, accused of murder, whom the bishop of London had committed to Newgate. He likewise compelled the Jews to pay eighteen thousand marks by a stated time, under pain of death.

We are now to open to the reader a detail of a new transaction, which will make a considerable figure in the occurrences of this reign; but, for this purpose, we must turn our eyes a little backward.

Innocent IV. had conceived such an implacable rancour against the late emperor Frederic, that nothing would satisfy him but the utter extinction of his whole race: accordingly, he was no sooner dead, than this revengeful vicar of the God of peace and mercy, carried on the war against Frederic's two sons, Conrad and Henry: and about the beginning of the year 1253, sent his nuncio Albert into England, to make an offer, in his name, of the kingdom of Apulia, Naples, and Sicily, which he pretended were fiefs of the holy see, to the earl of Cornwall; but that nobleman, though extremely fond of power, had sagacity enough to perceive that the court of Rome sought only to make a handle of this offer to draw a sum of money from him, and therefore very prudently rejected it. This was no little mortification to the pope: but he knew the weakness of Henry's disposition; he had privately made an offer of the same crown to Edmund, the youngest son of that prince, who unwisely caught at the bait. But as the affairs of England and Gascony at that time took up all Henry's attention, he deferred giving a final answer till a more favourable period. At his return from his French expedition, in the beginning of the year 1255, he revived the negotiation with the court of Rome on this subject: and young Conrad dying about this time, after having murdered his own brother Henry, the enterprize became more consistent with the principles of equity and honour, as Manfred, or Manfred, a bastard-son of the emperor Frederic, had seized upon the throne of Sicily. Henry therefore, having accepted of the offer in favour of his son Edmund, readily submitted to all the conditions which his holiness thought proper to impose. The young prince was treated with royal honours, and no means of extortion or oppression were omitted by the pope, with the assistance of Henry, to squeeze money from the English, under pretence of establishing prince Edmund in his chimerical dignity.

The king's thoughts were now wholly engrossed by this project; but as he knew the load of debts he laboured under, would not suffer him to stir in it without a very plentiful supply, he summoned a parliament to meet fifteen days after Easter, 1255, to demand of them an aid for the discharging of his debts, and to enable him to make good his son Edmund's title to the kingdom of Sicily.

This parliament was opened by the first of these propositions, which, as in several sessions before, met with a very cold reception. Mutual recriminations passed between the king and his barons; and the assembly desired leave to deliberate upon the king's demand till Michaelmas, which Henry very unwillingly granted, and the parliament broke up with great heart-burnings on both sides. Henry, however, to save appearances, issued a mandate for the strict observance of the Great Charter; but his officers, who were well acquainted with his real disposition, paid little or no regard to this ordinance.

In the mean time the pope's affairs were irretrievably ruined, by a total defeat which Manfred gave the papal arms in Italy, and Innocent was now threatened with a siege in his capital. This disaster filled him with such grief and anxiety, that it threw him into a fit of sickness which in a short time brought him to his grave. He was succeeded in the papal chair by Alexander IV. who, pursuing the measures of his predecessor, maintained the war in Apulia, and invested Edmund in the kingdom of Sicily.

Henry was now called into Scotland by the solicitations of his daughter, who had been married to Alexander, the young king of Scotland, who, not being yet of age, was, together with his queen, under the guardianship of the nobles of that kingdom, the chief of whom were Robert de Ross and John Baliol, both of them English as well as Scotch subjects. The young couple had sent repeated complaints to the English court, of the hard treatment they met with from their guardians, who kept the queen confined like a prisoner in Edinburgh castle, and would not permit the king to enjoy the rights of the marriage-bed with her. The presence of the king of England soon restored the royal pair to their liberty; and Henry, having imposed a heavy fine on the two regents, returned to England.

Prince Edward, the king's eldest son, was all this time in France: but, about the beginning of October this year, he sent over his new-married princess, Eleanor*, to England, while he himself remained at his government at Gascony.

Henry, who, in consideration of the phantom of sovereignty conferred upon his son Edmund by the pope, had subjected himself to all his demands, found himself, on his return from his Scotch expedition, more embarrassed than ever, by the arrival of one Rustan, a Gascon, who was sent by the pope, with powers to collect the tenths in all England and Ireland, towards which the king was desired to lend his assistance; at the same time the nuncio had a power to absolve him from his long-subsisting vow of going to the Holy Land, and to change it into another, of undertaking the conquest of Sicily, which, as his holiness expressed himself, was of much more importance than that of Jerusalem. Henry engaged in this new vow by solemn oath on the relics of St. Edward, as he had done with regard to the first. But it was not so easy a matter to procure money for the carrying on this enterprize: however, the parliament, that had been prorogued, meeting again on the eighteenth of October, the king was in hopes that he might obtain a loan from the great men, on the credit of the new expedition. The pope joined his interest in this project, and wrote to the earl of Cornwall, desiring him to advance his brother Henry forty

* This princess first introduced tapestry as the furniture for chambers, which till then was unknown in England. M. Paris.

thousand marks: but Richard was not to be so easily talked out of his money; he told the king, who urged him to set the example to the rest of the nobility, that the Sicilian expedition was a project of crafty self-interested Italians, merely with a view to drain this nation of all its money; and that as he (Henry) had engaged in it without his consent, or that of the other barons of England, he might carry it on the best way he could, for that he was determined not to advance any sum whatever towards it. The other great men made much the same reply; and Henry, despairing of compassing his ends, dissolved the assembly. During the last day's session, there happened a very great quarrel between the king and the earl-marshal, in which there passed some altercations which were entirely personal, and are unworthy of history to preserve*.

Being thus disappointed by his nobles, he was obliged to depend upon the exactions of the pope, authorized by bulls, which no person of candour or insensibility can read without indignation. This rapacious pontiff not only oppressed England with the most shameful impositions, but even burthened Scotland and Norway with contributions, to maintain his own private interest: to this end he sacrificed the Christians of Palestine, by converting the sums of money, and the soldiers, destined for their relief, to the conquest of Sicily, to which he could have no just pretence; practices so little suitable to the character of a patriarch and Christ's vicar, that they even disgrace humanity: and it is evident, from the Collection of Public Acts, that the conquest of Sicily was only a papal decoy; for, if we compare these with the history of Sicily at the same period, we shall find, that while the pope, by his bulls, was draining England of money for the projected conquest, he suffered Mainfroy to enjoy his crown without using any effectual measures to expel him from a throne he had so bloodily and unjustly usurped.

Thus was Henry and his subjects made the dupes to the avarice and villainy of Alexander: but not without some noble struggles on the part of the English clergy; for when Rustan, in the beginning of the year 1256, assembled the prelates, and proposed to them to sign certain obligatory notes, proportioned to the benefices of each individual, the bishop of London declared that he would rather lose his head than submit to such tyranny: he was seconded by the bishop of Worcester, and the whole assembly made answer, that the clergy of England would not submit to be enslaved by the pope. The nuncio complaining of this refusal to Henry, the latter threatened the bishop of London with his resentment; but the prelate, far from being dismayed, replied, "that he knew the king and the pope were his superiors; but that should they deprive him of his mitre, he would supply its place with an helmet." Rustan, exasperated at this noble stand made by the assembly, swore that, since he could not persuade them in a body, he would be revenged of each in particular, and began to prosecute individuals for pretended faults, which he obliged them to atone by the payment of considerable sums. But they sent agents to Rome, to represent their case at that court; and Alexander, not willing to stretch the cord to breaking, sent orders to his nuncio to desist from his prosecutions.

During this dispute between the pope and the clergy, the king exerted all his influence in soliciting the barons to grant the subsidy he had demanded for settling his son Edmund on the throne of Sicily: and, towards the latter end of this spring, the archbishop of Messina was sent with letters from the pope, pressing the nobility, in the most earnest manner, to comply with the request of their sovereign. But the eagerness of his holiness defeated the purpose it was intended to serve, and the barons saw through the scheme. Accordingly, a parliament being held, in which the archbishop spared no pains to make the assembly sensible of the glory and success which were likely to attend the expedition, if vigorously prosecuted by them, a solemn debate followed upon his proposition, when, after long deliberation, they unanimously refused to grant the subsidy. To justify their denial, they presented an address, setting forth their reasons, which were:

First, The difficulty of the projected undertaking.

Secondly, The great poverty of the nation.

Thirdly, The danger of an invasion from the neighbouring states, particularly the Welsh (who were then actually in arms, under their prince Llewellyn, and upon pretence of some infractions of treaties), if the forces of the kingdom were sent so far off.

Fourthly, That this project was entered upon without the knowledge or consent of parliament.

Fifthly and lastly, The conditions annexed to the grant of Sicily, which leaves the pope free to revoke it whenever he pleaseth, which is not reciprocal.

Unanswerable as these reasons appeared to be, yet master Rustan found means easily to refute them by positively declaring, to the clergy in particular, that unless his master's demands were satisfied by a supply being granted for carrying on the business of Apulia, he would make an immediate claim of all the debt due to him from the crown of England (which he asserted to amount to one hundred and thirty-five thousand five hundred and one marks), and in failure of payment to lay the kingdom under an interdict. Had the prelates and clergy had a prince on whose fidelity or firmness they could have depended, they would doubtless have treated this menace with the contempt it deserved; but they knew the weakness of Henry, and the deep concession he had already made; they knew that an interdict of the king and kingdom, which were in the pope's power to inflict, would hazard both church and state; and, from all those considerations, they thought proper to submit. Notwithstanding this compliance, the nuncio insisted that the above sum of one hundred and thirty-five thousand five hundred and one marks, and five hundred and forty more for interest, should be paid before Michaelmas; and that Henry should come at the head of an army in person, or else send a general with a sufficient army, against Manfred, by that time; all this under the pain of the whole transaction of Sicily becoming void, the money advanced upon it to be forfeited, the king excommunicated, and the kingdom put under an interdict.

All this moved not the king to reflect upon the abject state of slavery to which he had reduced him-

* The curious may see an account of it at large in Matthew Paris. Hugh Bigod, earl of Norfolk, had been lately created earl-marshal.

self and the nation: infatuated with his Sicilian expedition, he thought of nothing but how to raise money by every possible device; among others, he had recourse to imposing a new tax upon his subjects; which was, that all who held fifteen pounds (some say twenty pounds) a year, should be obliged to take the order of knighthood, or buy it off with money. This could not fail of bringing in a large sum to the Exchequer, since the perquisites due to the crown upon every creation were very considerable; and the expence of supporting the dignity so great, that most people of moderate fortunes chose to compound: add to this, that the sheriffs being generally negligent in the execution of this order, were fined for that offence; as likewise for not making up their accounts within a week after Michaelmas. On this occasion the son of the king of Man was solemnly knighted by Henry; and the city of London was obliged to pay a talliage of five hundred marks. Nor did Henry stop here: he extended his exactions even to the Welsh, who, being naturally a restless people, were in no humour to be impoverished at every turn, and had recourse to arms. Prince Edward, who appears to have been at this time returned to England, and who had been invested in the property of the lands belonging to the crown on the Welsh borders, applied for a sum of money to the earl of Cornwall, his uncle, with which he raised a body of forces, and marched to chastise the enemy: but Edward's spirit was greater than his success, for the winter-season proved so unfavourable, that he was unable to dislodge the Welsh from their fastnesses, or even to prevent their carrying their ravages to the very gates of Chester.

The year 1257 opened with a great event: William, earl of Holland and king of the Romans, being killed in a skirmish with the Frisians, the electors of the empire met to consult upon a new choice, and the majority carried it for the earl of Cornwall. In consequence of which, deputies came early this year with the archbishop of Cologne's letter, acquainting the earl of the consent of the majority of the electors in his favour; but that there were others of them who were for placing the crown on the head of Alphonso, king of Castile. Richard, charmed with this proffered addition of dignity and power, resolved to be beforehand with his competitor; and every thing being ready for his departure, a parliament was held in Midlent, in which the elect-king of the Romans (a dignity preparatory to that of emperor) took leave of the representative body of England in form, and set out, attended with a great number of English men of fortune and quality. Towards the end of May, Henry received a letter from him, with advice of his having actually crushed the opposition against him, and that he had been crowned king of the Romans at Aix la Chapelle.

The earl of Cornwall, who surpassed in actual riches any crowned head in Europe, is said to have carried with him out of the kingdom no less than seven hundred thousand pounds; an immense sum in those days! which, added to the repeated exactions of the pope, almost deprived the kingdom of all its currency, and contributed, with a scanty harvest, to produce a calamitous dearth, which was felt by the common people; but Henry, unmoved

with this national disaster, and still continuing bigotted to the Sicilian project, importuned the parliament (who continued sitting after the departure of the king of the Romans) for a fresh supply, assuring them that the former was not sufficient to pay the debts he had contracted; and, in order to soften the hearts of the prelates, brought his son Edmund into the assembly in a Sicilian habit, vainly imagining they would be, like himself, charmed with the appearance of the boy. This paltry artifice, however, would have produced nothing but contempt, had not the prelates been again awed by the nuncio, who compelled them by his threats to grant the king forty-two thousand pounds.

To all the calamities England laboured under at this time, must be added the war with Wales, which became now too serious for Henry to remain any longer an unconcerned spectator: he therefore determined to take the field about the end of July; and the army being rendezvoused, part at Chester and part at Bristol, the different corps were ordered to enter Wales at different quarters, Henry himself leading the main body. But the Welsh had now recourse to their usual policy: they stripped the country, through which the king and his troops were to pass, of all subsistence for man or beast, after which they retired towards Snowdon, that common check to the English projects within that country.

Henry had ordered a body of troops from Ireland, which, by invading Anglesey, as they had done in the last expedition, might deprive the Welsh of all supplies of provision, which they received chiefly from that isle; but these forces not arriving, and as the western division of the army, appointed to make a diversion in South Wales, had neglected to execute their orders, on account of the absence of their general, R. Clare, earl of Gloucester (who was suspected of holding a correspondence with Llewellyn), Henry, in these circumstances could not possibly bring the enemy to a battle, nor perform any action of importance, and was therefore obliged to return home soon after Michaelmas, after an inglorious campaign, for defraying the charges of which he had levied a considerable scutage.

The latter part of this year, and the beginning of 1258, were spent by Henry in a state of inactivity; but about the middle of March he summoned his military tenants to take the field against the Welsh, who had now over-ran great part of Pembroke-shire: but so low was Henry's authority at this time sunk, that not the least regard was paid to his summons. Much about the same time he received advice of disturbances that had arisen in Scotland, where the earls of Monteith, Buchan, Marr, and Ross, with several other discontented noblemen, had seized the person of Alexander and his queen, displaced the council appointed by Henry in his late visit to that kingdom, and expelled all the English out of the country, and had also furnished aids to Llewellyn, prince of Wales, to enable him more effectually to make head against the English government.

Henry's consternation at the ruinous state of his affairs was increased by a fresh demand of money from the pope, which he had not spirit to refuse, and sent him five thousand marks, with an earnest petition for a longer term for payment of the rest*.

Rufan,

* It is somewhat strange that Henry, amidst all his distress for want of money, should be the first prince that ever coined gold in

England; and yet nothing is more certain. This year he ordered to be struck a piece of pure gold that weighed two sterlings, or silver

Rustan, the pope's nuncio, who had by this time rendered himself completely detestable to the nation by his boundless and impudent exactions, was this year recalled, and one Herlot appointed in his stead.

The parliament met this year on the second Tuesday after Easter, and Herlot, the new nuncio, produced a bull from the pope, enjoining the bishops to pay the tenths granted to the king, under pain of excommunication, "all objections, all appeals, and all letters obtained, or to be obtained to the contrary, notwithstanding (*non obstante*)."

The king, on his part, seconded this agent, and pressed their assisting him with a supply for the conquest of Sicily. Had he really intended to provoke them, he could hardly have mentioned any thing more likely to produce that effect: the intolerable acts of papal tyranny and oppression, and such complicated scenes of royal fraud and cozenage, as had been for some time past experienced by this unhappy nation, could not fail to rouse the indignation of a people not lost to all sense of freedom and independence. Far, therefore, from granting his request, they loudly complained of his repeated breaches of promise, and of all the calamities and misfortunes which his foolish and inconsiderate conduct had brought upon the nation, particularly his ruinous partiality to foreigners: and the earl of Leicester, addressing himself, not to the king, but to the assembly, demanded justice upon William de Valence, who in arrogance exceeded all other foreigners. The parliament then proceeded to enumerate all the particulars of the king's mismanagement, and that in so forcible a manner, that Henry began to open his eyes to conviction. He had recourse to his usual protestations of amendment, nay, he solemnly swore before the shrine and altar of St. Edward, that he would thenceforth reform his conduct by following the advice of his natural-born Englishmen. This expedient, however, had been too much hackneyed to have any effect upon the present occasion: they told him plainly, that they neither could nor would depend upon his word, and therefore were resolved to make use of the power in their hands, to rectify the abuses of his reign in such a manner, that they should have nothing to fear for the future from his inconstancy.

Shortly after, the parliament was prorogued, and the city of Oxford appointed for the place of the next session. This recess was employed by the Eng-

lish party in forming an association against all the plots of foreigners. Some of the most powerful barons in the kingdom entered into and headed this association, such as Simon de Montfort, earl of Leicester and high-steward of England; Humphrey de Bohun, high-constable; Roger Bigod, earl of Norfolk and earl-marshal; and R. de Clare, earl of Gloucester; who were all fully determined to abridge the prerogative of the crown, and extend the liberties of the people.

The reader may remember, that at the time the English, by their noble struggle for liberty, had obtained the Great Charter and Charter of Forests from king John, twenty-five barons had been appointed, under the title of Conservators of the Public Liberties, to see those charters properly observed. The civil wars which followed immediately upon the granting those charters, together with the fatal submission the barons themselves had made to Lewis, prince of France, prevented the twenty-five, then chosen, from continuing the exercise of their powers, which had now lain dormant for upwards of forty years, and were, in effect, looked upon as obsolete. The present association, taking advantage of Henry's weakness, resolved to revive this commission, which was so excellent a barrier against the illegal efforts of royal authority; and Henry, alarmed at the spirit the parliament had lately shewn, promised to concur with them in every step that could be taken for the advantage of the nation; and even granted a writing, subscribed by his own hand, by which he consented to the nomination of twenty-four noblemen, twelve to be chosen by himself and twelve by the parliament, to draw up articles of reformation in the state, to which he swore to submit, under penalty of ecclesiastical censures; and, as a farther proof of his sincerity, he ordered his son Edward to sign this obligation*.

Upon the appointed day, the eleventh of June, the parliament assembled at Oxford, when the barons, who did not chuse to rely too far on Henry's protestations, came attended with their military tenants, all well appointed and armed, and resolutely bent to compel the king to perform his word; and though, upon the king's entrance, they laid their swords aside, he was not so convinced by this outward mark of respect, as not to ask them, with a visible emotion, if he was their prisoner†?

To

silver pennies; but this coin gave great offence to the citizens of London, who petitioned against it, probably on account of some deficiency in the weight; and Henry, unwilling to disoblige such a powerful body, published a proclamation to cry it down, desiring all those who had taken it in payment, to bring it to his Exchange, where they should receive the current value, deducting one half-penny for the coinage. *Lib. de Antiq. Legib. fol. 42.*

* That the reader may judge for himself, we shall here give the original words of this charter as extracted from Rymer, vol. i. p. 654, 655. and the more readily, as it seems to be a necessary supplement to the Great Charter itself.

"The king to all, &c.

"Know ye, that we have granted to the peers and great men of our kingdom, by an oath taken for our soul by Robert Waleran, that the state of our kingdom shall be ordered, ratified, and reformed by twelve loyal persons chosen out of our council, and twelve others chosen on the part of our peers, who are to meet at Oxford one month after the feast of Pentecost to come next, according as shall seem to them most expedient, for the honour of God, for our service, and for the benefit of our kingdom.

"And if any of those who shall be chosen on our part should chance to be absent, they who are present have power to substitute others in room of the absent; and in like manner on the part of our peers and loyal subjects.

"And we will inviolably observe whatever shall be ordered by the said twenty-four, or the majority of them, duly elected and sworn, concerning the premises; being willing, and firmly commanding, that henceforth whatever they may order shall be faithfully observed by all our subjects.

"And whatever security they, or the greater part of them, shall think proper for the due observation of the premises, or shall provide for the same, we will duly and inviolably fulfil, and cause to be performed.

"We likewise declare, that our eldest son Edward, having taken his bodily oath, has by his letter granted, that all the above covenants he will, as far as lies in his power, inviolably observe, and cause to be observed, for ever.

"The foresaid earls and barons likewise promised, that the affairs above-mentioned being fulfilled, they will, with earnest zeal, labour to induce the community of our kingdom to give us a common supply."

The witnesses to this charter are, prince Edward; Galfrid de Lusignan and William de Valence, the king's brothers; Peter of Savoy; John de Plessey, earl of Warwick; John Mansel, treasurer of York; Henry de Wingham, dean of St. Martin's, in London; Peter de Rivall, Guy de Rochesford, Robert Waleran, and in presence of many others of our earls and barons: and is dated at Westminster, the second of May.

† It must be owned, that this appearance was neither decent nor legal; but our author excuses it, by saying, that, from their former

To this question Roger Bigod, the earl-marshal, replied, that he was not their prisoner; but that they were come thither with a fixed resolution to clear the kingdom of all the Poitevin and other foreigners, and redress the grievances of the nation.

The first business they went upon was to chuse the council of the four-and-twenty, whom we may call the Committee for redressing National Grievances. The names of those who were elected were as follow: those chosen by the king were, Fulk Basset, bishop of London; Aymar de Valence, elect of Winchester; Henry, son of Richard, king of the Romans; Guy de Lusignan and William de Valence, the king's half-brothers; John, earl of Warrene; John, earl of Warwick; John Mansel, justiciary; J. de Derlington; the abbot of Westminster; and Henry de Wigham, or Wingham, dean of St. Martin's-le Grand, in London; the twelfth is omitted, but supposed to be either Peter of Savoy, or James Audley. The twelve elected by the barons were, Walter de Cantelupe, bishop of Worcester; Simon, earl of Leicester; Richard, earl of Gloucester; Humphrey, earl of Hereford; Roger, earl of Norfolk and earl-marshal; the lords Roger Mortimer, John Fitz Geoffrey, Hugh Bigod brother to the marshal, Richard de Grey, William de Bardolf, and Hugh d'Espencer.

These twenty-four being chosen, proceeded to the choice of four, who were to name the king's council; these were, the earl of Warwick, John Mansel, the earl-marshal, and his brother Hugh Bigod: and they nominated the following persons to be of the king's council; the archbishop of Canterbury, the bishop of Worcester, the earl-marshal, Peter of Savoy, the earl of Richmond, the earl of Albemarle, the earl of Warwick, the earl of Hereford, John Mansel, John Fitz Geoffrey, Peter Montfort, Richard de Grey, Roger Mortimer, James Audley.

The election being over, Simon Montfort was unanimously chosen president of this council for the redress of grievances; and the commissioners now began to deliberate upon the intended reformation. After a few conferences on the subject, they drew up and agreed to the following articles, to which the parliament reserved to itself a power to add, from time to time, such others as should be deemed necessary for the good of the state. They were in substance as follows:

I. That the king should confirm the Great Charter, which he had so often sworn to observe, and had as often violated.

II. That the office of chief-justiciary should be bestowed upon a person of talents and integrity,

who should administer justice to the poor and the rich, without favour or partiality.

III. That the chancellor, treasurer, judges, and other ministers of the public, should be chosen annually, by the council of twenty-four.

IV. That the custody of the king's castles should be committed to the care of the four-and-twenty, who should entrust them with such as were well affected to the state.

V. That any person, of what degree or order soever, who should oppose, directly or indirectly, what should be decreed by the four-and-twenty, should be punishable with death.

VI. That the parliament should meet three times every year, to enact such laws as should be found necessary for the good of the public.—In this account we have followed the Annals of Burton, where the resolutions of the council are drawn up in form, and where it is expressly said, that “there should be three parliaments every year; the first to meet eight days after Michaelmas; the second, the day after Candlemas; and the third on the first of June, or three weeks before the festival of St. John.” Rapin makes the parliament to meet only “once every year;” and Smollett, but “once in three years.”

These articles, which, from the place where they were drawn up, were called the Statutes or Provisions of Oxford, were approved by the parliament, and confirmed by the assent of the king and prince Edward, who solemnly swore to observe, and cause them to be observed, to the utmost of their power.

The same committee next proceeded to settle the affairs of the parliament, and the rights of the subjects to be present therein; and chose twelve wise men to come to parliament as the representatives of the community, or commons, which latter obliged themselves to hold for established what those twelve should do*. And here, I think, whatever others may allege to the contrary, we may fairly fix the first original, or embryo, of the judiciary power of the commons in parliament.

Besides these regulations, they likewise drew up and agreed to the forms of oaths to be taken by themselves, the chief-justiciary, the chancellor, governors of castles, and others; and some regulations with regard to the conduct of the great officers of the crown and household; the custody of wards, marriages, and escheats, and other burthens introduced by the Normannic law: matters in themselves so very curious, and so necessary to give the reader a clear idea of this important proceeding, that we have thrown them into a note, as they are to be found in the Annals of Burton†.

These

former experience of Henry's levity, they had reason to fear he would employ a foreign force to over-awe the assembly. Ann. of Theokesbury.

* The names of the twelve chosen by the barons to treat, in the three parliaments in a year, with the king's council, for all the commons, or whole community of the land, upon common business, were, according to the Annals of the Monastery of Burton, the bishop of London, the earl of Winchester, the earl of Hereford, Philip Basset, John de Baliol, John de Verdun, Roger de Grey, Roger de Sumery, Roger de Montalt, Hugh d'Espencer, Thomas de Grestey, Ægidius de Argenten.

† The first is the oath of the community, by which is meant, that association which all ranks and degrees of men had made to stand by one another. It is as follows:

This the community of England did swear at Oxford.

“We, such and such, make it known to all people, that we have sworn upon the holy Gospels, and that we are obliged or bound together by that oath, and we promise in good faith, that every one of us, and all together, shall aid one another;

and that we will do right to ourselves and ours, against all men, taking nothing therefore, which can be so done without misdoing, saving the faith we owe to the king and the crown. And we promise, upon the same oath, that we will not take any thing from one another, either land or moveable (goods), whereby this oath may be disturbed, or any ways impaired; and if any man shall do contrary hereunto, we will hold him for our mortal enemy.”

This is the oath of the Twenty-four.

“Every one swear upon the holy Gospels, that, to the honour of God, and by keeping their faith to the king, and to the profit of the realm, he would ordain and treat with those that had sworn before (that is, the community) about the reformation and amendment of the state of the kingdom: and that he would not desist from that work for any gift, promise, love, or hate, nor for the power of any man, nor for gain or loss; but that he would loyally (that is, faithfully and justly) do according to the tenor of the king's letter, which he had granted and also made.”

This

These measures, however, were not constituted without opposition: the court began to suspect, with some shadow of reason, that these reformers aimed only at depressing the regal power, and to get the government of the king and kingdom into their own hands: the king's council, therefore, opposed these new regulations; the earl of Warrenne refused to sign articles so derogatory to the king's prerogative; and Henry, son of Richard, king of the Romans, protested against them, or any other such regulations as should be made in the absence of his father. Hereupon the earl of Leicester, who was of a very fiery and insolent disposition, told him, that should either his father or himself refuse to concur in the salutary measures adopted by the barons for the preservation of the public liberties, they should not preserve one foot of land in England. But the most sanguine opposers of these institutions were the king's uterine brothers, against whose influence they seem to have been chiefly levelled. Two of these brothers had lands in England; Aymar de Valence, bishop-elect of Winchester, in right of his see; and William de Valence, either by the king's grant or purchase; but the other two, Guy and Geoffrey de Lusignan, had none, only the last enjoyed the isle of Oleron, and the post of seneschal, or steward, of Gascony, by the grants of prince Edward. It was thought proper to intimidate these; and, therefore, a resumption of the king's grants was talked of: this affected only William, who answered, that he was ready to defend his property at the hazard of his life. The great lords then entered into an association for driving all foreigners out of the nation: Simon de Montfort, who was himself one, appearing warmer than any of them for executing this resolution, and speeches were thrown out, threatening all such foreigners who should refuse to deliver up their castles and wardships, agreeable to the article for that purpose in the new regulations, William de Valence peremptorily declared that he would do neither: upon which Montfort answered, that he should either part with his castles or his head. The brothers thinking themselves no longer safe, since resistance or compliance might be equally fatal to them, fled away privately from Oxford towards the sea-coast, in hopes of getting over to the continent; but being disappointed of shipping, they both took refuge in the castle of Wolvesham, which belonged to the see of Winchester. The barons no sooner had advice which way they fled, than, apprehensive of the consequences of this escape, they broke up in an hurry from Oxford, and pursued them with all their forces as far as Winchester, where, without any formal adjournment, they resumed and finished the session of this parliament.

The bishop's castle, wherein the brothers had taken shelter, being a sanctuary, the barons did not chuse to proceed to forcible means to bring them from thence, lest by so doing they should have

made the clergy their enemies, whose friendship and countenance were above all things necessary to their present proceedings; it was therefore thought most adviseable by them to have recourse to a negotiation, and proposed that the foreigners should all quit the kingdom, and stay abroad till the state of the nation was reformed, and then the king might send for them as he should be advised by his council. Henry interposed in behalf of his brothers, and offered to give security for their peaceable behaviour, and that they should not oppose the barons in any of their proceedings; nevertheless, the latter insisted that Guy and Geoffrey should quit the kingdom, but agreed that William and Aymar might remain here, provided they would submit to such confinement as the barons should appoint, till the troubles of the nation were fully composed. But they, not caring to be at the mercy of those who were their professed enemies, rather chose to go abroad with their brothers, even at the hazard of forfeiting the estates they should leave behind them in England.

The matter being thus settled, they were allowed a safe-conduct, and embarked, on the fourteenth of July, 1258. They were no sooner departed than all their treasures, which they had deposited in several religious houses, were seized, and their lands confiscated; nay, so far did their enemies carry their revenge, that a letter was sent, in the names of the twenty-four, to the pope, fully representing their conduct with regard to the expulsion of the king's brothers, and particularly inveighing against Aymar, the bishop-elect of Winchester, as a person altogether unworthy of the prelatical office, beseeching his holiness, that, by the fullness of his power, he would remove him from his see; at the same time giving the pontiff to understand, that even should the king and the great men of the kingdom consent to the return of him and the other exiles, that the community would by no means suffer them to come here again, or to be reinstated in their former posts and offices.

The barons being thus rid of the foreigners, agreed, before their separation, upon an oath of association to stand by the Oxford Provisions with their lives and fortunes; and the parliament, which still continued to sit at Winchester, resolved to secure the city of London in their interest. The earl of Leicester and John Fitz Geoffrey were commissioned to manage this great point, and they found the citizens, who had not been a little provoked by Henry's repeated oppressions of them, in the very disposition they could wish; in a word, they agreed to stand by the barons to the last, and gave them a charter to that effect, under the common-seal of the city.

Thus far every thing went smoothly on in favour of the regulating barons; but the great interest which the king of the Romans had in the kingdom would not suffer him to be a silent spectator of the late

This the High-justice of England did or shall swear.

"He swears, or swore, that well and loyally, to his power, he would do what appertained to his office of justice, and do right to all men, to the advantage and good of the king and kingdom; according to the provisions made, and to be made, of the twenty-four, and of the council of the king and the great men of the land, who had sworn to aid and maintain him in these things."

This the Chancellor of England did swear.

"That he should seal no writs without the command of

the king and his council, that shall be present, except writs of course; nor should seal the gift or grant of a great ward or great—, or of escheats, without the assent of the great council, or the greater part of them; nor that he should seal any thing, contrary to the ordinances then made, or to be made, by the twenty-four, or the greater part of them; nor that he should take any reward, but what had been given to others; and that if he took to him an assistant or deputy, it should be according to a form prescribed by the council." Ann. Burton. page 413, 415, 435.

fundamental alteration of the English monarchy and constitution. Ill-gotten power is ever precarious, and those who are possessed of it are under perpetual apprehensions of losing it on every slight occasion. No sooner was it known to the barons that Richard intended making a visit to England, than they were struck with dread, lest he should use the great interest he had with the commons, to oppose, and perhaps defeat, their measures, and re-instate the king in those prerogatives which belonged to him as inherent in the crown, and many of which they had, in the wantonness of their power, taken from him, arrogating the exercise of them to themselves: for it must be confessed, that, though the barons were probably animated by a true spirit of patriotism in their first attempts to reform the abuses of government, which were, indeed, manifold; yet, in the prosecution of this laudable work, they certainly over-shot the mark, and made too violent encroachments on the royal prerogative. Fearful, therefore, that the great credit of the king of the Romans might check their progress, they dispatched the bishop of Worcester, with other deputies, to meet him at St. Omer's, and to give him to understand that they would not suffer him to set foot on English ground until he should have first sworn to observe the Oxford Provisions, in like manner as king Henry and prince Edward had done on their parts: at the same time they required to know on what account he was coming to England, and how long he would stay: very extraordinary demands to be made of their king's brother, and of an earl of Cornwall, superior to any of them in quality and estate.

Richard, incensed at their insolence, swore that he would never take the oath they wanted to impose on him, and that he would return to and from England when and in what manner he pleased, without submitting to give them an account. Not long after, however, he received advice that all precautions had been taken in England, by raising troops and fitting out a fleet, to prevent his landing: this determined him to comply with the request of the barons; and the king himself writing a letter to press him so to do*, he soon found all opposition would be useless. Having signified his readiness to assent to what had been demanded of him, he prepared to embark with his queen, his son Edmund, and a very slight retinue.

On the twenty-seventh of January, 1259, he landed at Dover, and, proceeding to Canterbury, was there met by his brother Henry and the barons, when the former (agreeable to what was dictated to him), called upon him, by the plain title of earl of Cornwall, to take the oath required, which was very strict, and in the terms to be found in the note †. This oath he took by one of his knights, swearing in his seat as earl of Cornwall.

On this occasion the barons certainly acted according to the dictates of common sense, and in a perfect consistency with the genius of the English constitution. This circumstance, however, gave such offence to the German noblemen who attended

Richard, and who, probably, thought the dignity of their sovereign grossly insulted, that they immediately returned to their own country with indignation: and though Richard was magnificently received, on the first of February, at London, yet, finding nothing agreeable to him about court, he soon retired into Cornwall, to live cheap and retrieve his fortune, which had been greatly impaired by the prodigious expence he had been at in support of his own dignity.

Those who now held the reins of government found it necessary to turn their attention to foreign concerns; they were very apprehensive that the French should take advantage of the present posture of affairs to push their conquests in Guienne. This apprehension made them resolve at all events to establish a solid peace with the king of France, whose countenance and support might counter-balance any efforts made by the king and his friends to retrieve the prerogative; and the earl of Leicester charged himself with this commission, though at the same time he flatly denied to renounce for himself or his heirs. This conduct gave the earl of Gloucester the first suspicion of that ambition, by which Montfort afterwards so dangerously distinguished himself: as he was married to Henry's sister, it was easy to foresee that he aimed at no less than the succession itself. Montfort was possessed of great interests in France; if, therefore, all the royal family, except his wife, had actually renounced their claims to the contested countries in Normandy, he was undoubtedly next claimant in right of blood. It was, therefore, a very impolitic step to give a commission of this nature to a man of Montfort's principles and ambitious views. However tenacious he might be of what he thought his own right, he appeared very little concerned about those of his sovereign and near relation; for, in order to facilitate a treaty, which he thought so necessary to the purposes of his party, he proposed to sacrifice all Henry's titles to Normandy and Anjou. Such a proposition could not fail of being very agreeable to Lewis, who forthwith assented to the terms, and concluded a treaty, which the faction here compelled Henry to sign; nay, so absolutely was he in their power, that he even found himself compelled to go over to the continent, and give the French king a meeting at Abbeville, where, in an assembly of the states of France, he disclaimed all title to Normandy and Anjou, while Lewis ceded in his favour all the Limousin and Perigord, and all that France possessed on the other side of the Garonne, upon condition that he would do homage, and sit among the peers of France, as duke of Guienne ‡. Thus Henry, for the too great neglect of his subjects, found himself at last forced to divide with them the government of his dominions both at home and abroad, or rather to resign the management of all affairs into their hands. Perhaps he might have avoided this mortification, had he been less obsequious to the court of Rome, which certainly was the principal cause of his disgrace. John lost his authority by too vigorously opposing

* That this letter was extorted, there is little reason to doubt, for, in a postscript, the king of the Romans is enjoined by Henry not to attempt to bring any of his brothers into England. See Rymer, vol. i. p. 672.

† "Hear ye, all people, that I, Richard, earl of Cornwall, do here swear upon the holy Gospels, that I will be faithful and obedient, together with you the barons, to reform the kingdom of England, hitherto too much out of order, by the

course of evil men; and I will be your effectual helper, to expel all the rebels and disturbers of the same kingdom; and will observe this oath inviolably, under pain of losing all the lands I have in England."

‡ And from that time the king of England left out the title of duke of Normandy and Anjou, in his grants and letters patent. W. Rishanger, p. 989.

the pope; Henry, by making himself his slave. But to resume our narrative.

While the king was in France, the four-and-twenty issued an edict, enjoining the farmers of all benefices filled by foreigners, to pay the revenues to certain persons appointed to receive them, on pain to the offenders of having their houses razed to the ground. By this salutary precaution England was freed for a time from the prodigious number of Italian leeches that sucked the best blood of the nation.

The year 1260 opened with warm animosities between the earls of Leicester and Gloucester, the two powerful heads of the baronial league: Gloucester, from several parts of Montfort's conduct, had conceived an extreme jealousy against him; he well knew the bustling spirit of that nobleman, and that he looked with disdain on every other rank but that of chief; in order, therefore, to counteract his ambitious projects, the former had recourse to artifice, and laboured to fill Henry's mind with the most terrible apprehensions, as if there had been a secret correspondence between prince Edward and the earl of Leicester, and his own half-brothers, who had been banished the kingdom, with an intention to employ a foreign force and to place the prince upon the throne of England. Henry, whose waxen mind yielded to every impression, immediately formed to himself the most frightful ideas of deposition, imprisonment, and unnatural rebellion. He was then at St. Omer's, on his way back for England, after having finished all matters at the French court, and having performed his homage*; but now was struck with such a panic, that he stopped short, nor could he be prevailed on to embark till he received letters from his brother, the king of the Romans, and prince Edward, with the seals annexed of many other noblemen in parliament assembled, professing their attachment to his person and family, and giving him the strongest assurances that he might return in perfect safety. Thus reassured, Henry crossed the sea about the latter end of April; and coming, on the last day of that month, to London, took up his lodgings in the bishop's palace†.

Although Henry met, at his return to his English dominions, with the highest demonstrations of loyalty and affection from all his great subjects and the princes of the blood, nevertheless he could not so far get the better of the fears instilled into him by the earl of Gloucester, but that he shewed evident signs of jealousy towards prince Edward and the earl of Leicester, and a manifest preference in favour of the earl of Gloucester, whom, with his followers, he admitted to lodge within the city, whilst the king of the Romans was fain to return to his palace at Westminster; and the prince, with Montfort, were quartered at St. John's Clerkenwell.

The prince considering this distinction as a tacit censure on his conduct and principles, took occasion to meet his father at St. Paul's, when all the nobility were there assembled, and protested his innocence, offering to stand to the judgment of his father and his uncle, the king of the Romans, as he did not look upon the barons as his peers, nor himself subject to their cognizance and judicature.

A day of trial being accordingly appointed, at a meeting of the parliament at Westminster, the prince acquitted himself so entirely as to be reconciled to all the court and the nobility, to the great mortification and confusion of the Gloucester faction, whose chief, the earl, finding himself disappointed in this part of his scheme, openly attacked the earl of Leicester, whom he accused of several malversations, as well in Guienne as in England, and demanded that a day should be fixed for examining the impeachment which he intended to bring against him; but finding that nobleman's party so strong, and himself so full of confidence, he dropped the prosecution. These divisions answered Henry's views, and broke the strength of the barons; at the same time he laid hold of the late rumour of a revolution to oblige all the citizens of London, above the age of twelve, to renew their oath of allegiance to him.

Soon after, the nation lost an useful friend by the departure of the king of the Romans, who had at this critical juncture interposed his best offices to reconcile the embroiled parties and restore the public peace; but now he was under a necessity of repairing to Germany, to take care of his interests there, in relation to the imperial crown, of which a tender had been lately made him. At the same time prince Edward took his leave to go to his government of Gascony, where some differences that had arisen between him and his brother-in-law, the king of Castile, required his presence.

The junto of barons had now been near three years absolute masters of the realm, under pretence of reforming its state: Henry, careless and indolent as he was, could not but feel and resent the daily mortifications he was obliged to undergo. He hoped to draw some advantage from the quarrel between the earls of Leicester and Gloucester; and actually applied to the pope to absolve him from the oath he had taken to observe the Statutes of Oxford. Alexander IV. then pontiff, glad of an opportunity to be revenged on the barons for their having stopped the revenues of foreign beneficed priests, readily granted Henry's request; but before the dispensation could be made out, he was overtaken by death, and succeeded in the papal chair by Urban IV. who confirmed the concession of his predecessor, and sent over a dispensation in form.

Henry having obtained this ecclesiastical opiate for his scruples, resolved to declare the secret purpose of his heart; and having assembled a parliament at London, in the beginning of March, 1261, he, in a set speech, told them, "That as they had not, on their parts, performed their promise to pay his debts, and augment his revenue, when he signed the Provisions of Oxford, he did not think himself obliged to keep the oath he had there taken; that he was determined no longer to remain in the hands of a faction, that had treated him more like a slave than their king, but would forthwith free himself from such inglorious bonds, and assert the dignity of his prerogative." The whole assembly was struck with astonishment at this unexpected declaration; and the king, without giving them time to canvass the matter with him, retired, and threw himself into the Tower, the governor of which he had pre-

* In the king's gardens in the Louvre. See Du Tillet's *Recueil des Traités*.

† Henry left behind him in France his daughter Beatrix,

who had been married, while he was at Paris, to John, duke of Brittany, who was to have with her in dowry the earldom of Richmond. Rymer, vol. i. p. 675, 682, 693, 698.

viously secured in his interest, seized all the money in the mint, which was then kept in that place; published a proclamation for removing all the sheriffs and other officers, nominated by the twenty-four; and acted with such vigour as seemed to be the effect of a steady resolution to retrieve his independency. He next published a manifesto, setting forth the motives of his conduct, and promising his subjects that he would inviolably observe the two charters, notwithstanding any false reports to the contrary, that might be propagated by evil-minded or disaffected persons.

After this, leaving the custody of the Tower in hands he could trust, he repaired to Winchester; where, to shew his contempt of the barons and the Oxford Provisions, he removed Nicholas of Ely and Hugh d'Espenser from their posts of chancellor and chief-justiciary, into which they had been put by the twenty-four, investing in their stead Walter de Merton and Philip Basset with those dignities.

The barons, though amazed with this spirit and resolution in the king, which he had never before discovered, and which, till this time, nobody thought him capable of exerting; yet, not to be wanting to themselves or their cause, they put in practice every method they could devise, to keep the several counties from submitting to the new officers the king had put over them.

Both parties earnestly wished for the return of prince Edward, who was all this time in France: the king hoped to find an addition of strength to his party by the coalition of his own son and the great men in his interest; the barons, who seem to have entertained an high opinion of the young prince's abilities and his love for his country, expected that by his interposition an accommodation might be brought about on terms that would at once free the nation from the fears of arbitrary power, dictated by foreign councils, and clear their character of having taken up arms rather through a turbulent and ambitious spirit, than from a real motive of securing their own liberties and those of their fellow-subjects. Prince Edward, on his side, no sooner learned the state of affairs here, than he hastened over in order to prevent the calamities of a civil war, which might at once prove destructive to the interests of his family and those of the community. At his arrival he astonished his father by openly blaming his conduct in having broken through the solemn oath he had taken at Oxford; and still more, for having called in the assistance of the see of Rome, ever labouring to subject this land to her authority, for absolving him from his engagements. If Henry was confounded at these sentiments in his son, he was no less perplexed and afflicted when he heard that the earls of Leicester and Gloucester, whose dissensions were the harvest of his hopes, had sacrificed their private animosities to join in defence of the Oxford Provisions, to which they now jointly swore anew.

Exulting in the exigence to which they now thought the king reduced, the barons gave him to understand, that unless he would voluntarily remove from about him the pernicious counsellors

who had put him upon his late measures, they would proceed to every extremity to oblige him to such removal. Henry, whose passions veered with every change of circumstance, now relapsed into all his native perplexity and irresolution; he could not determine what answer to return to this bold and menacing message, but kept himself close shut up in the Tower, thinking of nothing but deposition and confinement in a more dismal habitation. In this state of terror and apprehension he had recourse to a step, which entirely frustrated the end he hoped to answer from it, by alienating the regard of the whole nation from him, who before were rather disposed to think him harshly treated, and that the barons had exceeded the limits of a lawful and laudable opposition: he published the pope's bull, absolving him from the observation of the Oxford Provisions. Immediately every one looked upon him as a person upon whose faith and sincerity no dependence could be placed. The barons' party daily increased, and every thing now portended a civil war, when the king of the Romans, who, upon finding that the German princes had cajoled him with promises that they were not able to perform, had abandoned the project of getting himself chosen emperor, and returned to England, interposed his good offices, and happily effected an accommodation for the present, by persuading his brother to confirm the Provisions of Oxford, and prevailing on the barons to depart from those articles of the statutes which bore too hard on the royal prerogative.

Notwithstanding that we must allow several of the Oxford Provisions to have been much in favour of the public liberties, yet we cannot deny that many of them were destructive of the spirit of the English constitution, therefore the proposed agreement was in all respects equitable*, and as such had been approved by all the members of the council; but the haughty and ambitious Leicester could not be brought to consent to a compromise that would divest him of a great part of his authority; he therefore, on pretence that no dependence could be placed on Henry's word or oath, however sacred, after the last instance he had given of his tergiversation, refused to agree to the terms of the treaty, and retired in high disgust into France.

There wanted not, indeed, others of the barons who were dissatisfied with the articles of agreement; but as they were unwilling to involve the nation in the miseries of a civil war, they suffered themselves to be over-ruled by the majority, and accordingly subscribed the treaty.

Peace being once more restored to the kingdom, the king of the Romans again listened to an invitation sent him by the princes of Germany, and went over thither, though to no other purpose, as afterwards appeared, but to spend the money he had raised upon his estate in England. Henry too, taking advantage of the present calm, set out from Westminster on the third of July, with his queen, on his way to France, in order to hold a conference with Lewis, and to prevent the measures which the earl of Leicester was taking at that court for disturbing the peace of England.

* Our historians have left us in the dark as to the particular articles of the Oxford Provisions, which were to be confirmed or cancelled by this agreement; but we are told by two ancient MSS. (one in Bennet's college library, in Cambridge, and the other in the Bodleian collection) that those statutes chiefly related to the suits of court, and distresses made by

tenants in capite, and other lords of manors, upon the undertenants; which being very much for the benefit both of the lords and tenants, were, some years after, again confirmed by the king, and inserted, word for word, in the statutes of Marlebridge.

During his stay abroad, the king fell dangerously ill of a quartan fever, in the beginning of September, which held him all that month, and reduced him so low, that he thought fit, upon his recovery, to confirm his health by an easy and pleasant tour through the chief cities of Burgundy and Champagne before he returned to England. He landed at Dover on the twentieth of December, and, having kept his Christmas at Canterbury, came, in the beginning of January, 1263, to London. The king of the Romans also, finding his Italian expedition too dangerous whilst Manfred's partisans infested all the roads, or rather because the pope had not yet decided the dispute between him and Alphonso, king of Castile, returned home on the tenth of February next following.

Towards the end of the preceding year, and while Henry was yet in France, R. Clare, earl of Gloucester, being seized with death, sent for his son Gilbert, whom he made to swear that he would never depart from observing and enforcing the Provisions of Oxford. The earl of Leicester also, taking advantage of the king's absence, had repaired to England; and, in a parliament held at London, had produced a revocation of the pope's absolution of Henry's observance of those statutes, immediately after which he retired again to France*.

Henry, on his arrival, therefore was accosted by the barons, now reinforced by the young earl of Gloucester and his friends, with a petition urging the observation of the Oxford Provisions, according to the amendments made by the last compromise; but, to their astonishment, Henry not only refused this very just and proper request, but proceeded so far as to issue out writs forbidding the observation of those statutes throughout the kingdom.

The Welsh, who had been some time in arms, taking advantage of the dissensions in England, had committed such repeated depredations on the lands bordering upon that principality, that Henry found himself under a necessity of recalling prince Edward, who was at that time in France, signalling himself in the tournaments held there, to come over and defend the Marches, of which he was lord-warden. The prince readily obeyed the summons; and, on his arrival, took the field against the invaders; but, for want of money to pay his troops, his operations proceeded very languidly. In this disagreeable situation he had recourse to an expedient, which nothing but the prevailing anarchy of the times can possibly excuse: he knowing that there was a great sum of ready cash and valuable effects lodged in the treasury of the Knights Templars, which was looked upon as an inviolable sanctuary by all parties; he therefore marched suddenly and unexpectedly back to London, and proceeding with his troops to the Temple, without communicating his design to any one, he seized upon all the treasure he found in the custody of that fraternity, amounting to ten thousand pounds sterling. This caused a general clamour against him, and again turned the scale of the people's affection, which, a little before, had been inclined to Henry, who, though he disapproved of what his son had done,

was, by the artful representation of the barons, charged with the whole odium of this unpopular, and, indeed, very unjust proceeding.

Notwithstanding that Henry still kept his residence in London, that capital remained attached to the barons, who, making use of their powers, held a parliament, or rather great assembly of the nobles in their interest, at London, about Whitsuntide. Here the king and the prince were declared guilty of perjury: manifestos were issued for raising forces; all who refused to join them were to be treated as rebels; and the earl of Leicester was named to command in chief.

Whilst these things passed here, the pope (Urban IV.) considering England as an exhausted fund, from which he could drain no more money, resolved to play the same game with France, touching the crown of Sicily, and actually entered into a negociation with Charles, count of Anjou, brother to the French king, for placing him on the Sicilian throne. To prepare Henry for this change in his resolution, he wrote a long letter to him, in which, after having reproached him with the non-performance of his promises, he declared that he should be obliged to cast his eyes on some other prince, who would engage heartily and expeditiously in the project.

The king of the Romans acted a truly patriotic part amidst all these dissensions: though in his heart he blamed the king for his pernicious partiality to foreigners, and that disregard of his oaths and promises, which had begotten such a general distrust of him in the breasts of his subjects, yet the great interest the earl had in the kingdom would not suffer him to be a silent spectator of the late fundamental alteration of the English monarchy and constitution. He had hitherto declared himself of no party; but now, that he found every thing tending to an insurrection, he desired a meeting with the barons, which was accordingly held near Wallingford, in Berkshire; in consequence of which he wrote a letter to his brother, earnestly pressing him to refrain from hostilities till he received farther advice from him; at the same time he prevailed on the barons to continue inactive on their parts: but the power of the latter was too unconnected and dispersed, and they themselves too independent of controul, for them to abstain from hostilities throughout the kingdom. Their resentment, indeed, fell chiefly upon strangers, and all who could not speak English felt it severely: Mansel, who was by birth a Fleming, and Henry's chief minister, finding his master could not protect him, thought it most prudent to withdraw out of the kingdom; but he was pursued, even into France, by Henry, son to the king of the Romans, who was himself, by the contrivance of the queen of England, taken prisoner at Boulogne.

The main army of the barons was encamped at Isleworth, in the neighbourhood of London, with which city they held a close correspondence; and the citizens, going in a body to Henry, who was still in the Tower, presented a petition, in which they declared that they would not suffer the revocation of the Oxford Provisions; and at the same time presented a memorial from the earl of Lei-

* The brief of revocation was publicly read in the council, contrary to the will of Ralph Bassett, the justiciary (lately put in by the king.) This circumstance is found in no other writer except the MS. Chronicle of St. Augustine; and, if true, gives us the reason of the so sudden change in the barons

humour, from what it was in the beginning of this year; as also the cause of what happened in the next, as will be seen presently. But if the absolution was really revoked, it was shortly after re-confirmed.

cester and the principal barons, setting forth the reasons of their present opposition, and beseeching the king that he would not depart from the oath he had taken to observe the statutes made at Oxford, withal declaring their readiness to submit to a fresh revival of those Provisions, and to alter, amend, or leave out such of them as should, upon mature deliberation, be found to bear too hard upon the prerogatives of the crown; concluding with a most earnest request that the kingdom might thenceforth be governed by its native subjects, as was the practice in all other nations.

These addresses, however, had no effect upon Henry, who, expecting his son Edward to come speedily to his relief, with a body of forces from the North, headed by the Cummins, the Bruces, the Baliols, Piercys, and others, rejected the barons petition; upon which Leicester, with his army, quitting his camp at Isleworth, advanced into the neighbourhood of London, and took post in Southwark. This step threw Henry into great consternation; he expected nothing less than to be himself besieged in London, and was seriously disposed to an accommodation, though it was powerfully opposed by the queen and her friends, the former of whom had very lately been grossly abused by the populace of London†: nevertheless the king, despairing of relief, sent the barons word, that he would conform to the Oxford Provisions. Upon which a treaty was drawn up, containing the following articles as terms.

I. That Henry, son to the king of the Romans, should be set at liberty.

II. That the king's castles should be put into the hands of the barons.

III. That the provisions of Oxford should be inviolably observed by the king as well as others.

IV. That all foreigners, except those allowed by the unanimous consent of the barons, should be obliged forthwith to depart the land, never again to return.

It may be easily conceived that the king assented to terms so very disadvantageous and dishonourable merely to gain time; accordingly he began to store with arms and provisions those castles which were still in his power. This step, though undoubtedly warranted by the critical situation he was in, gave the alarm to the barons, who now began to be more than ever upon their guard.

During this state of uncertainty, prince Edward, finding himself disappointed in the succours he expected from the North, and judging that himself and a few followers could be of little service to the king, marched to reinforce the castle of Bristol, of which his father Henry had entrusted him with the custody; but a difference happening between him and the townsmen, who were in the interest of the barons, upon the prince's demanding the city to furnish him with provisions, the latter took up arms, and Edward was obliged to retire into the castle, where the inhabitants immediately blocked him up, in hopes by famine to oblige him to surrender it into their hands. Thus distressed, the prince sent for the bishop of Worcester, who

had all along acted the part of a mediator, and promised that he would agree to the articles of the late treaty, if he would procure him his liberty. The prelate, relying upon his honour, effected an accommodation between him and the Bristol people, and Edward set out with him, in order, as the good bishop thought, to join the barons, and there subscribe the articles that had been agreed to by his father; but he soon found himself the dupe of his too great credulity, for no sooner were they arrived at Egham, in their way to London, than Edward clapped spurs to his horse, and rode full speed to the castle of Windsor, in which he took refuge, leaving the bishop equally surprized and enraged at this unprincely breach of faith, for which there certainly can be no excuse offered, except we suppose it the frolick of a young giddy man, to put a trick upon an old prelate; but even taking it in this favourable light, it was a very impolitic joke, as matters then stood; and of this the bishop was not long before he made Edward sensible, for, provoked at this deceit, he carried his complaints to the barons, who immediately determined to lay siege to Windsor castle. The prince was greatly alarmed at their resolution, and, seeing them approach, thought proper to march out of the castle (unprovided against a siege), and offered terms of capitulation: Leicester, who headed the barons troops, advanced on horseback to hold a conference with the prince, when the bishop of Worcester took occasion to represent to the earl that the prince, by his late treacherous conduct, had forfeited the protection of the laws of honour, and that the securing his person would be only a fair reprisal: hereupon the earl making a signal to his men, the prince soon found himself surrounded and in the power of the barons, from which no other way was left him to get clear, but by resigning up to them the castle of Windsor, promising upon oath to dismiss his foreign mercenaries, and being reconciled to Montfort and his party.

Insurgents seldom know moderation in success: that of the barons seems rather to have made them lose sight of the point they set out upon; the humiliated state of their sovereign, and that of his eldest son and heir of the kingdom, swelled their vanity, and absorbed the love of their country, and their due allegiance, in selfish views; an insolent exertion of power took the place of a patriotic and praise-worthy opposition; Leicester and his party lorded it uncontrouled, throughout the kingdom. Henry was still a kind of prisoner in the Tower; the Londoners, indeed, somewhat over-awed by his having that citadel in his hands, did not dare openly to shew their attachment to his enemies, but no private means were left untried to give Leicester and his forces an entrance into the city, which, in all probability, would have ended in delivering up the king into their hands: but one John Gisors, a Norman by birth, having gotten intimation of their design, locked up the Bridgegate, and threw the keys into the river. However, the party of the barons within the city, finding their scheme discovered, took up arms, and,

† The queen being afraid to remain in the Tower, while all the city was in a tumult around her, resolved to retire to Windsor. With this view she went on board a barge, intending to proceed by water; but as she approached London bridge, she was insulted with great rudeness and brutality by the populace, who not only loaded her with the most opprobrious epithets, but even endeavoured to sink the boat and de-

prive her of her life, by throwing stones of an enormous weight into the vessel, as the watermen attempted to pass through one of the arches; so that she was forced to return to the Tower, from whence she was afterwards conveyed to the palace of the bishop of London, at St. Paul's, as a place of greater safety. *Annal. Dunstable*, p. 357.

having

having defeated those of the king's party, burst open the gates, and Leicester entered the city from the Southwark side, and pitched his camp in Lambeth fields*.

And now a decisive action was expected every day; for prince Edward, having been joined by Henry de Almain (or, of Germany), for so he was generally called, son to the king of the Romans, by the earl-marshal, John Basset, and several other noblemen, who thought they could not, as true Englishmen, continue any longer with Montfort and his party, they were all in march with their tenants and dependents, to make one last effort to deliver their sovereign out of the hands of reformation run riot. Things were in this situation when, by the unwearied interposition of the more moderate of both parties, among whom, to his immortal honour, the bishop of Worcester bore the principal share, it was agreed to refer the whole of their differences to the king of France. The reference was confirmed by the oaths of the king, the prince, the barons, and all the principal persons concerned in the quarrel, on the thirteenth of December, 1263, with this condition, that Lewis should give his determination before the approaching feast of Pentecost.

Henry himself, with prince Edward and several members of his council, immediately set out for France, and were followed by the chiefs of the other party, except the earl of Leicester, who was prevented from going abroad on this occasion by a fall from his horse, in which his thigh-bone was fractured.

Lewis accepted the office of arbitrator; and having heard the cause in an assembly of the states, at Amiens, he delivered his award on the third of February, 1264, to the following effect.

"That the Statutes of Oxford, with all the proceedings that followed in consequence thereof, should be annulled. That the king should enjoy all the rights and prerogatives which were vested in the crown before the said Provisions. That he should recover all the castles which he had ceded to the barons, as a security for the performance of his promises; and that he should have the power of appointing his great offices of state and government, equally from foreigners as natives: but he added a clause, importing, that this award should have no effect on the privileges granted the English before the parliament of Oxford†.

A sentence so very contrary to their expectations could not fail of exasperating the barons. They flattered themselves that Lewis would have been glad of any opportunity of reducing the power of Henry and his family, which had been so long formidable and troublesome to the crown of France; but Lewis was the justest and most conscientious prince of his age, and would have blushed to make his conscience truckle to his interest. The barons were deceived in him; but Henry, from personal acquaintance, knew him better.

This award was, on the seventeenth of March, ratified by the pope, and all that opposed it subjected to the censures of excommunication and interdict. Urban also renewed his bulls annulling all associations against the king, and absolving all

persons from their oath of observing the Oxford Provisions.

The barons, however, considered the saving clause, with which the sentence concluded, as utterly inconsistent with, and overthrowing the other parts of that sentence, alleging that the Statutes of Oxford were enacted for no other purpose than to secure their privileges; they therefore made this a pretext for rejecting the award, and renewing hostilities.

The accounts of what passed between the two parties till the famous battle of Lewes are clogged with so many confused circumstances for such as are not intimately acquainted with the situation of the places, that it would be only tedious and uninteresting; it is better therefore to hasten to that remarkable event, which put an end to the quarrel in favour of the barons. I shall only observe, that during the interval between the renewal of the war and that battle, Henry obtained several advantages over the confederates; and also, by means of his son and the king of the Romans, won over several of the great lords to his party. He made himself master of Oxford, from whence he expelled the scholars, for shewing too much partiality to the barons; Northampton was taken by storm by the king's troops, where fifteen barons and sixty knights were made prisoners. Henry was so elated with this success, that he was weak enough to order all the Oxford scholars (who, after being expelled their university, had joined the garrison of Northampton, and served as soldiers) to be hanged: it was even with difficulty that he was dissuaded from this barbarous resolution, in consideration of the bad effects which might attend the resentment of the parents of those who should suffer. The taking of Northampton was followed by that of Nottingham. Then the king marched into Kent, where he obliged the barons to raise the siege of Rochester and retire to London.

After having gained these advantages, the king took the castle of Tunbridge, and, directing his course to Winchelsea, compelled some of the barons of the Cinque Ports to renew their oath of homage, while the rest put to sea, and intercepted all the supplies of provisions from abroad, except such as were intended for the use of the malecontents. From Winchelsea the king marched into Sussex, and fixed his head-quarters in the convent of Lewes, while prince Edward took up his lodging in the castle.

Leicester being by this time reinforced by a body of fifteen thousand Londoners, resolved to hazard a decisive engagement, and with that view began his march towards the place where the king's army was encamped. But whether he was really desirous of compromising the dispute without bloodshed, or that he really wanted to throw the blame of all the evil that might ensue on Henry, certain it is he halted six miles short of Lewes, and sent a respectful letter, in the name of himself and friends, to the king, importing, "that he and the barons associated with him, had taken up arms not with a view to withdraw their allegiance from him as their sovereign, but only to reform the abuses in government; that they humbly besought him to join with

* Probably those now called St. George's Fields, with part of Lambeth Marsh.

† This award (which may be seen at large in Tyrrel's Appendix, No. 7.) bears date February 23, 1263, in father Da-

chiere's Specilegium, because the French began not their year till our Lady-day; whereas, according to the accounts of all our former historians, our year began on Christmas-day, and so the sentence is dated by them all in 1264.

them in this salutary work; concluding with the strongest professions of their readiness to submit to his government, and defend his person." The truth of the matter appears to be, that Leicester was diffident of his Londoners, who were unexperienced and untrained in war, and therefore chose, rather than come to extremities in such a situation, to adopt the shew of moderation: but this address, respectful as it was, being accompanied with some reflections upon the foreigners admitted about the king's person and council, and still insisting upon a confirmation of the Oxford Provisions, this was rejected with indignation by the king and his party, intoxicated with their late trifling successes; and, in his letter to the barons, in answer to theirs, (dated at Lewes, the twelfth of May, 1264), he says, "That not himself, but they were, indeed, the occasion of all the war, destruction, rapine, and misery which had so long vexed the nation; that their intentions were not according to their professions, nor their actions agreeable to their pretences, and therefore he defied them."

This letter giving the barons to understand that there remained no hopes of an accommodation, they renounced their allegiance to Henry, whom at the same time they upbraided as a tyrant and an enemy to the public.

Both parties, now burning with the most implacable rancour, thought of nothing but a battle. On the fourteenth of May the earl of Leicester marched, early in the morning, before break of day, towards Lewes; in hopes, perhaps (as his march lay through woods) of surprizing the royal army; which seems to have lain there in too great security. Some parties, which had been sent out the day before for forage, having been obliged to go farther than others to find it, could not get back till the morning: and in their return, discovering the rebels on the march, gave the alarm to the king's forces; who being roused from sleep, prepared themselves in more hurry than was proper, for a battle. Leicester having knighted the earl of Gloucester, Robert de Vere, Henry de Hastings, and other young noblemen, at the head of his army, divided it into four bodies; the first, commanded by his two sons Henry and Guy de Montfort, and Humphrey de Bohun; the second, by the earl of Gloucester, John Fitz John, and W. de Montcheny; the third, (composed of Londoners, who desired to make the onset), by Nicholas de Segrave; and the fourth, by himself. The royal army marched out of Lewes in three bodies; the first, led by prince Edward, John earl of Surrey, and W. de Valence; the second, by the king of the Romans and his son Henry; the third, by the king himself, attended by the chief of his nobility. He was not able to form a fourth; having left a considerable part of his troops, with a choice corps of young warriors, at the castle of Tunbridge, for its better security against the attempts which were expected to be made by the earl of Gloucester for its recovery.

No writer mentions whether these different bodies marched in a line, or in columns following one another; nor is it possible to comprehend any of the various relations of this battle; some of them romantic, and all confused, so as to give a clear and rational account of what passed in the action. It is, however, generally agreed, that prince Edward, having charged the van or first

corps of the rebels, broke it; Humphrey de Bohun being wounded, and John Giffard (who had distinguished himself, by surprizing W. de Mauduit, earl of Warwick, in his castle of that name) taken and sent prisoner to the castle of Lewes; and afterwards falling upon the Londoners, he routed them with great slaughter, and pursued them, near four miles with an eagerness, which proved fatal to his father, and cannot be excused but by the resentment of their late insolence to his mother. His victorious corps was composed of the best troops in the royal army, having been raised in the Marches of Wales, and consisting of brave and hardy men, experienced in war, and used to continual encounters with the Welsh: and had he, instead of pursuing unexperienced runaways, too much frightened to think of rallying, fallen, in conjunction with the rest of the king's forces, upon the remaining corps of the enemy, he could not in all appearance have failed of obtaining a complete victory. The prince's absence, and the running of great numbers of the other bodies of the king's army, as if the battle had been already gained, to plunder the baggage of the rebels, which lay in their sight on the top of the Down, afforded Leicester an opportunity of turning the fortune of the day; which he was too wise a general not to improve. He marched, with the earl of Gloucester, at the head of their two corps, down the declivity of the hill; and attacking the second body of the king's forces, cut the greatest part of it in pieces, taking the king of the Romans, John Cammin, Robert de Bruce, and other noblemen prisoners. The third body, commanded by king Henry in person, made so gallant a resistance (in which the bravery of Philip Basset was very remarkable) that it was not broke till the evening: but the king's horse being killed under him, and himself slightly wounded, he returned to the priory of Lewes with a party of his followers; others taking refuge in the castle, and the rest either dispersing or flying into the town, which was open and without either walls or fortifications. The victors pursued them thither, and made prisoners of such as submitted; but were themselves in a strange confusion, not being able to distinguish among the wounded who were of their own, and who of the adverse party.

Prince Edward, returning from the pursuit of the Londoners, was much surprized at the number of slain he found lying on the field of battle, the issue whereof threw a general consternation into his followers: and the earl of Surrey, W. de Valence, Guy de Lusignan, and Hugh Bigod, were so struck with it, that giving up all for lost, they fled, with seven hundred choice men of their own attendants, to Pevensey, where they got shipping to carry them into France. The prince himself, intrepid in all events, thought only of retrieving the disaster; and notwithstanding this shameful desertion of noblemen in whom he chiefly confided, advanced with his Marchers to the town of Lewes; where an eagerness after spoils and plunder had put every thing in disorder. The barons, however, drew out of the place with a body of their troops, and some skirmishes ensued: but neither side knowing the strength and condition of the other, they did not come to a general engagement. The prince, uncertain of the fate, and solicitous for the safety, of his father, went round the

the town to the castle; and not finding him there, came to him at the priory; both which were now attacked by the rebels. The hopes of rescuing John Giffard and others of their party, who were prisoners in the castle, put them upon attacking it; but the garrison repulsed them, and shooting fiery arrows, laid a great part of the town in ashes. This obliging them to retire, they made an attempt on the priory, and with their arrows set the church on fire: but it being soon quenched, they were forced to desist from the enterprize. There had been about five thousand men killed on both sides, either in the action, or in the pursuit of the Londoners; most of these being of the rebels party. There were only two noblemen, W. de Wilton and Fulk Fitz Warren, killed on the king's side; but his great loss lay in the number and quantity of his adherents that were taken prisoners, among which were the earls of Hereford and Arundel, Philip Basset (who had received twenty-four wounds in the battle), with twenty-three lords carrying banners, and in the dispersion of a great part of his army.

The prince made it his business to rally and get together such as were scattered upon their defeat; and joining them to his corps of Marchers, which was still entire, with Roger de Mortimer (reputed the best officer in England) and other experienced commanders, at their head, resolved to try the fortune of another battle. Leicester, had lost near half his army: the two corps, routed by the prince, being pursued so hotly, had fled too far, to be able to rejoin his standard; therefore he did not care to run the hazard of a combat with a body of resolute troops, which he knew to be better and more experienced than his own, and to be full as well commanded; but had recourse to artifice, for preventing an event, which he dreaded. Pretending a great desire to save a further effusion of blood, he sent mediators the next morning to the prince, to propose a treaty of peace, and a cessation of hostilities for two days, till the articles were adjusted; offering to submit his demands to such arbitrators, as the king should chuse to approve; but insisting that prince Edward, and his cousin Henry, son to the king of the Romans, should be delivered to him as hostages for the king's performance of the conditions. This article, putting it in the power of the rebels to do what they pleased in the nation, was (notwithstanding the strong inclination which the king and his friends ever had to peace) absolutely rejected, as insolent, unreasonable, and proposed with a treacherous design to get the kingdom in their power, and leave all the royalists at their mercy. The prince resolving on another engagement, Leicester sent him word by some Jacobin and Franciscan friars, that if he would not agree to the conditions proposed, and offered to attack his troops, he would strike off the heads of the king of the Romans, John Comyn, Robert de Brus, Philip Basset, Henry de Percy, and other noblemen, that he had taken in the battle, and put them upon lances to serve for ensigns to his army.

This threat affected the king and all his friends with the most melancholy apprehensions for the fate of so many persons of quality, many of them their near relations; so that they resolved to consent to an accommodation, which was dictated by Montfort and his party on the following terms.

“That the Provisions of Oxford should be again observed; but that a parliament should be summoned by Whitsuntide following, for reciting and amending them; and that the said parliament should chuse four persons, either of the laity or clergy, for that purpose. It was likewise agreed, that if any difference should arise with regard to the amendments, that both parties should submit to the arbitration of the king of France, who was to chuse three prelates and three noblemen of France, who, repairing to England, were to chuse one Englishman, and these to be the umpires of all differences between the king and the barons. But it was at the same time stipulated, that prince Edward, and his cousin Henry, son to the king of the Romans, should remain as hostages in the hands of the barons, for the performance of the said articles.”

These, being reduced to writing, were termed the Mise (that is, the Agreement or Convention) of Lewes, and was confirmed by the seals of the king, the prince, and all the chiefs of either party, on Friday, the sixteenth of May, 1264; when the king immediately sent orders to the governors of all the castles, in which the barons, taken at Northampton, were confined, to release the prisoners; and to the garrison of Tunbridge to lay down their arms. There was an article in the convention, by which the prisoners on both sides should be set at liberty, but Leicester, abusing his power, detained the king of the Romans, with his son Edmund, Philip Basset, and several other noblemen; and seized all the barons who adhered to the king, as fast as he could get them into his hands: and being master of the persons of the king and almost all the royal family, he neglected no advantages that policy could suggest to one of his turn.

He was too well acquainted with the attachment of the English people to the genius of their constitution, not to know that they would never support him in one executive deed of power in his own name, or that of his party; he, therefore, was particularly studious to use the king's name on all occasions, and to stamp every act with his authority. Henry, in his present situation, could not but comply with whatever was demanded of him. Writs were issued out, by which all who were in arms, were ordered to lay them aside, with an exception to the earl of Leicester and his retinue, who were allowed to bear arms, on pretence of guarding the hostages. The tythes over all the kingdom were next ordered to be paid to the earl of Leicester by the king's writ. Thus did the ambitious Montfort, by these and other the like arts, raise himself to a degree of power much greater and more despotic than had been possessed by any king that ever sat on the English throne: and thus it is, that men alter their principles and maxims, according to their interests and the posture of their affairs; a reflection which the history of every state affords but too frequent occasions to make.

All this time the unhappy king was hurried about from place to place, according to the will of his insolent keeper, who, considering that his proceedings, however glossed over with the authority of the king's name, would not long be suffered without the sanction of a parliament, he therefore resolved to have one convened; but, as may be reasonably supposed, such an one as was most likely

to sanctify all that he had done, or might be inclined to do. Accordingly, having dragged the king up to London with him, summons were issued for the meeting of the assembly on the feast of St. John Baptist, the twenty-fourth of June. But in the mean time Montfort was continually at work to introduce his new favourite scheme of government, which he had so long meditated, and which, however unallowable might have been the motives which dictated it, was the original of that excellent partition of power between the monarch and the subject, which at present constitutes the bulwark of our liberties against all encroachments of royal oppression. He issued mandates in the king's name, for appointing keepers (conservators) of the peace, till the final decision of the ensuing parliament: a precept was likewise directed to the said keepers, commanding them to send to the parliament four of the most respected and discreet knights throughout every county, for conferring with the king upon the state of the nation. This may justly be deemed the origin of that right which the commons have to sit in the great council of the nation, at least since the time of the intrusion of the Norman line.

The parliament, composed of members entirely at the devotion of Leicester and his party, did not fail to approve the new form of government, and an ordinance was made for reforming the state of the nation, by committing it to three persons of their nomination, which were Leicester, the earl of Gloucester, and the bishop of Chichester. These three were to appoint nine counsellors, by whose advice and direction the king was to dispose of the affairs of the kingdom: and to appoint the justiciary, chancellor, treasurer and all other officers, as well in his household as in the state; three of these nine being always to remain about the court, but all of them removeable at the pleasure of the three persons above-mentioned. In a word, Montfort and his party behaved in the most tyrannic and inexcusable manner, under the stale mask of reformation. Henry was obliged to confirm whatever they demanded, by threats of deposition and imprisonment. The king of the Romans and prince Edward were treated as common prisoners, the former being sent, with his son, to the Tower of London; and the latter first to Wallingford and then to Dover castle, without regard to their blood or quality of hostage. The Provisions of Oxford had been disused as soon as they had served their turn; the Mise of Lewes was now no more mentioned: in a word, every thing seemed perverted from the original pretences which had been made use of to win the belief of the people to the patriotic professions of the cabal. The continual oppressions of Henry and the pope, while the crown governed uncontrouled, had so far alienated the affections of the commonalty from their sovereign, that they, for some time, beheld his humiliation with a degree of revengeful pleasure; but the late conduct of Montfort and his assistants had began to open the eyes even of the most disaffected to the royal party; and the other states of Europe beheld with indignation, an insolent subject thus lording it over his sovereign.

Queen Eleanor, who had for some time resided in France, left no means untried to stir up every court to revenge the injuries offered to royalty. She borrowed a sum of money to raise forces and

equip a fleet, for releasing her son and husband. An infinite number of soldiers of fortune flocked from Germany, Burgundy, and other countries, to Damme, in Flanders, which was the place of rendezvous appointed; and at the same time the king of France was employed in setting on foot a mighty armament, which was supposed to be intended against the barons of England, who had so insolently rejected his late award.

Much about this time also the pope, moved with the queen's remonstrances, ordered cardinal Guido to repair to England, as his legate, and to arbitrate all public commotions; but the prelate being denied entrance into the kingdom by Montfort (who in this respect, undoubtedly acted right, and with a proper regard to the independency of the English state), he summoned the bishops of England to attend him at Boulogne.

Leicester, alarmed with all these measures, taken in behalf of the king, and tending to the subversion of his own power, obliged Henry to write a letter to Lewis, desiring that prince would desist from his martial preparations, and interpose his good offices in effecting a solid peace between the crown and the barons.

At the same time, to avert the publication of ecclesiastical censures, with which the legate had threatened the chiefs of the barons party, the bishops of London, Worcester, and Winchester, Hugh d'Espenser, and Peter de Montfort (who we find in Rymer, was constituted proxy for the king himself) were appointed to act as procurators and commissioners, in the presence of the king France and the legate, to treat about the reformation of the state of England. This negociation, however, miscarried, and the legate ordered the bishops, at their return, to publish the sentences of excommunication against the earls of Leicester, Gloucester, and Norfolk, and their adherents, unless they would immediately abjure the Statutes of Oxford, restore the king to the full enjoyment of his royal prerogative, and set prince Edward and his cousin at liberty: this excommunication was to be denounced nominally upon the several parties, and their lands laid under an interdict. The bishops promised to obey the mandate, which however they did not perform, pretending that they had been boarded in their passage by the mariners of the Cinque Ports, who had taken away and destroyed all their papers. The cardinal, considering this as a proof of the barons great power, contented himself with publishing the sentences at Rheims, and returned to Rome, where, upon the death of pope Urban, which happened soon after, he was advanced to the pontifical dignity, and took the name of Clement IV.

Matthew of Westminster says, that queen Eleanor had, by this time got together so great a force, that, if they had once landed, they would certainly have subdued the whole kingdom: "But God (says our author) in his mercy ordered it otherwise; the fleet being detained so long by contrary winds, that the forces were at last disbanded, and returned to their own homes for want of money." So true an Englishman was this author, though he appears highly concerned, for the king's interest, that he did not think it safe for the nation to have had the king restored by an army of foreigners.

This appearance of an invasion from abroad, however, encouraged the royal party, on the Marches

Marches of Wales, to break an accommodation they had made with Montfort, and to make incursions upon both sides the Severn; which they did with such success, that they over-ran the whole country from Bristol to Chester, and took possession of it in the name of Henry and his son, prince Edward; but, after many skirmishes with those of Montfort's party, they were at length obliged to capitulate upon hard terms.

Leicester had hitherto proceeded with an uninterrupted prosperity; but the barons, who had taken arms against Henry merely on account of his arbitrary government, were not so blinded by their resentments as not to perceive all the ambitious adventurer in Montfort, who was daily making larger strides towards universal rule, under the specious pretext of patriotism; and they foresaw infinitely more mischief in the sway of such an usurper, than ever could be dreaded from the misconduct of a weak prince like Henry. The earl of Gloucester, in particular, beheld his proceedings with a jealous eye: he talked with him upon the subject, and receiving no answer, but what was haughty and insolent, he resolved to embrace the first opportunity of binding up the wounds which his sword had helped to make, by restoring the royal family to its legal rights.

The penetrating eye of Leicester soon perceived these designs, and his refined policy as soon sought an expedient against them, by issuing a proclamation for all those who had lately taken arms against the established government, to retire into Ireland. This mandate was levelled against the lords of the Welsh Marches, who were in the interests of the earl of Gloucester; but, instead of obeying, they took refuge on the lands of that nobleman, who afforded them shelter and protection.

At the same time the public in general began loudly to express their dislike of Montfort's proceedings, and to resent the captivity in which he kept their king and his son and heir of his dignities. It was enquired, why the proposed reformation was not heartily entered into: and why, having no longer any thing to oppose him, the self-formed champion of his country's cause did not restore her to a state of quiet, and suffer the constitution to proceed agreeable to its usual form, under such wholesome restrictions as might secure the people in the enjoyment of their laws and liberties, without divesting the sovereign of that power and homage naturally due to him? These murmurs began to prove formidable to Leicester, and he found himself under an absolute necessity to take some steps for his own exculpation.

With this view a parliament was convoked to meet at Westminster, on the twenty-second of January, 1265, under pretence of concerting measures for setting prince Edward at liberty, hoping that, by his readiness to release the heir of the crown, he should sufficiently clear himself from the treasonable designs with which he was charged. Thus, while he considered only the security of his own person and power, by a happy turn of Providence and concurring causes he provided for that of the nation.

In this parliament, not only the temporal and spiritual peers were summoned, but writs were likewise directed to the abbots and priors of England, and summons sent to the sheriffs of the counties to elect and return two knights for each

shire, and two citizens, and as many burgessees for each city and borough of England, and for each of the Cinque Ports as many barons.

Here, it must be confessed, we have the first plain and evident outlines of an English representation; as it is now modelled. The asserters of the antiquity of the house of commons do, indeed, infer, from our historians not having mentioned it as a new institution, that it was a customary thing; others, on the contrary, alledge, that if it had been usual, it would have been needless to take notice of this circumstance, after the mention of so many parliaments, without any such remark made upon them. For our part, we shall leave it to the judicious reader to chuse which of the two consequences may appear to him to be the most natural, without pretending to determine aught concerning it ourselves. This one observation however, we hope to be permitted to make, that though they were the first summons of that form, yet that the commons before that time had a deliberative voice in parliament, though not summoned by their representatives in the same manner as at the juncture we now describe.

When the parliament met at Westminster, Leicester caused an order to be passed for the release of prince Edward; but on terms that were so dishonourable to the royal blood, that nothing but apparent danger of their persons could have excused their accepting them. The prince, after parting with his palace at Westminster to Peter de Montfort, and his castle of Bristol to the earl of Leicester, was forced to promise in writing, "that he would put all his castles in the Marches of Wales into the hands of unsuspected persons, by the direction of the king's council, for three years, and that he would not stir out of England for that time, without the leave of the council, composed of Leicester's creatures; that he would, by his authority or persuasion, cause all the Marchers to submit to the present administration; that he would neither invite nor encourage foreigners to come over, but oppose them to the utmost of his power; and that he would inviolably perform this agreement, on pain of forfeiting all his estates, either in possession or reversion: lastly, Henry de Almaine, his cousin, was to remain as an hostage for his due performance thereof, in the custody of Henry de Montfort, till the first of August next ensuing; or (if any foreigner should prepare to invade the realm) till the first of November, or till such time as it should be seen in what manner prince Edward should behave himself on the occasion."

When the instrument containing these terms was signed, which was on the eleventh of March, 1265, the prince was brought into Westminster-hall, where it was read before all present; and nine bishops joined in excommunicating all that did not observe the two charters, or violated the agreement. At the same time the prince was declared free and at full liberty, before all the people; but was still confined, like his father, under a guard, and carried about in the same manner, just as Leicester saw convenient.

Leicester, to put the finishing stroke to his scheme, accused the earl of Gloucester before the parliament, of having afforded protection to the lords of the Welsh Marches, and required hostages for his peaceable behaviour; but the earl, instead of taking notice of his accusation, or offering to defend

defend himself, quitted the house abruptly, and retired to the West, with a strong body of followers. Upon this, Leicester, with the king and prince of England under his ward, advanced with an army towards the borders of Wales, and declared Gloucester and his adherents enemies to the state; but, nor daring to attack him openly, as fearing the affection of the country people, he took up his quarters at Hereford, and endeavoured to amuse him by proffers of accommodation. Gloucester plainly saw through their artifice; but, meeting craft with craft, in order to gain time for completing a purpose which he was then meditating, he consented to set on foot a negotiation, which, by means of studied delays, was protracted above a fortnight.

In the mean time the earl of Gloucester had found means to enter into a secret correspondence with prince Edward, in the course of which he convinced him so effectually of his sincerity to join his father and himself, that Edward resolved to effect his escape, the first convenient opportunity, and throw himself into the arms of Gloucester and his party.

It was not long before he accomplished his design, in the following manner: Roger de Mortimer having sent him a fine horse incomparably fleet, he went out, on the afternoon of the twenty-eighth of May, to divert himself in Widmarsh, near Hereford (where the earl of Leicester and the court then were), attended by Robert de Ros, who was appointed to keep always near his person, and his usual guards and attendants. When he was come to a certain place, he made matches between the horses of his followers, by way of trying their speed, riding many of them himself, one after another; and when he had sufficiently tired them all, he clapped spurs to the sides of his own fleet courser, and rode off full speed. His guards followed him for some way, till they saw Roger de Mortimer with a party of men, who had lain concealed in a wood near Tullington park, coming to receive the prince, and conduct him safe to Wigmore castle, where he met with John, earl of Warrenne, William de Valence, Hugh Bigod, and others his friends.

Montfort, having received the disagreeable news of the prince's escape, compelled the king, on the thirtieth of May, to issue writs for raising all his military tenants to serve against the prince, and prohibiting his other subjects from giving him any assistance. And, on the eighth of June following, a writ was sent to the bishop of London, and the bishops of the province of Canterbury, enjoining them to excommunicate the prince and his adherents. All this was for his own sake, and with a view to his own interest; but he did one thing which was beneficial to the kingdom, by taking from the popes the pretence, so long and so successfully made use of by them, to enrich themselves at the expence of the English. As he found the people had not the same deference for the see of Rome as formerly, he ordered a commission to be drawn up, empowering him to renounce, in the names of the king and of prince Edmund, all pretensions to the crown of Sicily: by virtue of this

power he made a formal renunciation, of which he took care the pope should have notice, in a letter from the king.

Leicester, finding that all the precautions he had taken were of little effect, and that prince Edward, being joined by the earl of Gloucester and all his party, had made himself master of the cities of Worcester and Gloucester, and of all the passes on the Severn, he resolved to march to Newport, which, lying in the mouth of the Severn, almost opposite Bristol, gave him hopes of a speedy passage into England: with this view he ordered all the ships of burthen to be sent from Bristol, and the adjacent parts, to carry over the king, himself, and his army; but, on his arrival at Newport, he found, to his inexpressible vexation and disappointment, that a number of gallies belonging to the earl of Gloucester had met with his transports, of which eleven had been taken, and the rest obliged to return to Bristol.

Nothing remained for him now, but to throw himself into the hands of Llewellyn, prince of Wales, with whom he made a peace, on terms highly disadvantageous to the English interest: this he did in hopes that he might yet make a successful attempt to join his son, who still lay at Northampton, with a very powerful body of forces; but prince Edward proved too active for both father and son, for he no sooner heard that young Montfort was on the march to relieve his father, than, drawing together all his forces, he, by prodigious marches, arrived on the first of August, by day-break, in the neighbourhood of Kenelworth, where the enemy, unsuspecting an attack, were dispersed in the town, when, falling suddenly on them, he killed or made prisoners the greatest part of them*; but Montfort himself escaped into the strong castle of Kenelworth, which appertained to him in right of his wife.

Leicester, little dreaming of his son's misfortune, had by this time passed the Severn, with a design of shutting up the prince between the two armies, and advanced to Kemsley, and from thence to Evesham, where he made a halt.

Prince Edward, informed of his situation, without amusing himself about the siege of Kenelworth castle, left Worcester, with all his army, about sun-set, on the third of August, giving out that he was going towards Bridgenorth or Stafford, and actually marched several hours that way, to deceive the enemy; but suddenly facing about, he took the road to Evesham, and, marching all night, arrived there in the morning before sunrise.

Leicester, when he first descried the prince's troops, took them for his son's forces (of whose disaster he had not heard), Edward having hoisted the banners of Simon de Montfort and the other barons, taken in the late action; but being soon undeceived, he instantly marched out of the town, resolved to sell his life as dear as possible; but, at the same time, he traiterously obliged the king to place himself in the front of his troops, and in the very face of danger. This was probably done with a view to clear himself of fighting against the son of his sovereign and the heir of the crown, and

† He found Montfort's forces asleep, and took them all prisoners without the least resistance: his troops were enriched with a prodigious booty of horses, arms, equipage and other spoils; and he reckoned in the number of his captives the earl

of Oxford, W. de Montchensy, Baldwin Wake, Hugh Neville, Adam of Newmarket, and about ten other knights bearing banners. Chron. Abingdon. Chron. T. Wikes.

that he might seem to be embarked in the same cause with the king himself.

All this time the prince's army was advancing in three divisions, the first commanded by himself, the second by the earl of Gloucester, and the last by lord Roger Mortimer. The young prince, animated with fresh ardour from his late victory, attacked the enemy's forces with such incredible fury, that the Welsh, who formed the van of Leicester's army, could not sustain his first onset, but fled with precipitation; while Gloucester charged, with equal intrepidity, in another quarter. Notwithstanding the mighty efforts of these two commanders, and the dastardly flight of the Welsh, Leicester maintained the battle from two o'clock in the afternoon till night, with surprising valour and resolution. In the heat of the action the king was wounded in the shoulder, and in the most imminent danger of his life, when calling out to a soldier, who knew him not, and who had his spear uplifted to transfix him, "that he was Henry of Winchester, their king," prince Edward, hearing his voice, ran immediately to the spot, conducted him to a place of safety, and returned to the charge; but during his absence Leicester had been slain: his horse had been killed under him, and when he demanded quarter, as he fought on foot, it was refused him by his adversaries, who told him that such an infamous traitor had no right to quarter. His son Henry soon met with the same fate; and his troops, now deprived of their two chief leaders, were struck with such a consternation, that they immediately threw down their arms and sued for mercy.

Hugh d'Espencer, Ralph Basset of Sapcote, Peter de Montfort, John de Beauchamp, W. de Mandeville, Guy de Bardolph, and all the barons that attended Leicester, were slain, except John Fitz John, Nicholas de Segrave, Henry de Hastings, Guy de Montfort, Humphrey de Bohun the younger, and seven or eight others, who were taken prisoners. In a word, prince Edward obtained a complete victory, with a very inconsiderable loss.

The body of Leicester being found among the slain, was inhumanly mangled by Roger de Mortimer, who ordered his head to be cut off, and sent it to his wife, as a proof of his being fully revenged upon his enemy.

Thus fell Simon Montfort, earl of Leicester, a bold, resolute, and enterprising genius, superior to most men of the age in the art of war, insinuating, artful, and persuasive. His talents enabled him to form and improve the measures most suitable to his purpose, and his intrepid heart supplied him with vigour to carry them into execution; so that, with these advantages, no man was so well qualified as himself to lead a party, or subvert the constitution of a state.

The character and conduct of this great subject have been very differently treated by historians: traitor, rebel, and every other term of odious acceptance, have been liberally bestowed upon him by some; while others, espousing his cause, have represented him as the mirror of patriots, and a man who died for the cause of liberty and independence. We shall adopt neither of these extremes, but content ourselves with saying, that neither the conduct of the king nor that of Leicester and his associated barons, ought to be wholly condemned or wholly applauded: that the government stood

in need of being reformed, must certainly be allowed; and that the barons might lawfully request their sovereign to consent to such a reformation, will hardly be denied even by the keenest advocates of passive obedience and non-resistance; but that Leicester made use of the most proper means to accomplish that purpose by forcing the Statutes of Oxford upon the king, cannot well be asserted by any one who knows how intimately the preservation of the rights of the crown are blended with that of the subject, in a monarchy like our's.

Leicester, therefore, though he might be right with regard to the end he first proposed, was certainly wrong with respect to the means he employed to compass that end; and still more, in his subsequent conduct. As to his aspiring to the crown, with which he is charged by many, it does not seem to have been authenticated by any substantial evidence, any more than his design upon the earl of Gloucester's life by poison.

But, let his conduct in other respects have been ever so exceptionable, he was the original projector, or at least restorer, of the house of commons, which must ever render his memory respectable to every true lover of the constitution of his country, who considers the house of commons as an essential branch of that constitution. To return.

The battle of Evesham entirely changed the face of affairs, and those who had so lately felt the rod of oppression themselves, now became oppressors in their turn. Henry was, like all men of weak minds, of a vindictive and rapacious disposition; and he now gave himself up, without controul, to these base and disgraceful passions. At his return from the North, he summoned a parliament at Winchester, in which an ordinance was passed for giving the king immediate possession of all the estates of all those who had been in arms against him; and a resolution was taken to punish the city of London with the utmost severity, for the support and assistance it had given the barons. The citizens hearing that they were to be proceeded against with exemplary rigour, thought proper to make their submission, and throw themselves upon the king's mercy. This, however, little availed them, for Henry and his family were exasperated against them beyond measure; and the king, on this occasion, preferred an unmanly gratification of his revenge to the wiser, or more amiable methods of conciliating the affections of this powerful body of his subjects by acts of generosity and forgiveness: he not only commanded the city to be deprived of its chains, barricadoes, gates, magistrates, and its charter, but also shut up the deputies from the city in several prisons, in violation of a safe-conduct which had been granted them to attend upon him. Fitz Thomas, the mayor, and some others, who had been remarkably active against the court party, were obliged to redeem their lives and estates with very large fines. This ill-timed severity so terrified the citizens in general, that many of them retired abroad with their most valuable effects. The king next appointed by his writ, Humphrey de Bohun, earl of Hereford, John de Baliol, Roger de Leyburn, and Roger de Walleran, to be guardians of London; and that city was compelled to pay a fine of fifty thousand marks: this fine, however, was, not long after, by the interposition of the queen and the pope's legate, reduced to twenty thousand marks; and they

they were restored to their privileges of trade and navigation, though upon very mortifying terms†.

The king of the Romans having in vain interceded with Henry for the pardon of Simon Montfort, son of the deceased earl of Leicester, that young soldier, finding himself in the state of a proscribed exile, resolved no longer to keep any measures, and, being at the head of a set of men as desperate as himself, he left a strong garrison in the castle of Kenelworth, and, with a chosen band of followers, seized upon the isle of Axholme, which he fortified in such a manner as to render it a secure receptacle for all the disaffected party, whose numbers in a short time became formidable, by the junction of all those who dreaded the revengeful spirit of Henry. It was now towards the end of November, nevertheless it was thought necessary for prince Edward to march, without delay, to crush the rebellion before it came to too great a head. The prince met with an obstinate resistance; but at length the malecontents were obliged to submit, and young Montfort was sent in safe custody to the king, who, at the earnest and repeated solicitations of the king of the Romans (who had been his prisoner in Kenelworth castle, and whom he had released without ransom), granted him his pardon, upon his promising to deliver up the castle of Kenelworth, and to retire out of England, having an annuity of five hundred marks allowed him for his subsistence.

Much about this time the king received an increase of joy by the arrival of the queen, with her son prince Edmund, after having lived in France for near two years. The royal family being thus happily re-united, set out together for London, where they arrived in the beginning of February, 1266, Simon Montfort accompanying the court as a prisoner at large, who seemed at first to be pretty well satisfied with his condition; but, whether disgusted by some affront, or weary of a life of inactivity and indolence, he at last withdrew, and joined a set of pirates belonging to the Cinque Ports, who bestowed upon him the command of their ships, with which he plundered all the vessels that came in his way: a very unsuitable return for the lenity he had so lately experienced! But prince Edward being sent to punish the inhabitants of the Cinque Ports for their proceedings, and having reduced the town of Winchelsea, the other ports submitted to the government, upon which they were restored to the full enjoyment of their privileges, upon renewing their oath of allegiance, an act of clemency which did great service to the court party.

The victory of Evesham had given a fatal blow to the rebels, but the remains of their faction still subsisted, and the peace of the kingdom could not yet be said to be fully re-established. The castle of Kenelworth continued in the hands of the rebels, and the garrison behaved with so much insolence, that they cut off one of the hands of a

royal herald, sent to summon them to surrender, declaring at the same time, that they should pay no regard to the compromise made by young Montfort, who had no right to dispose of the fort, of which they had received the command from the earl of Leicester, and to his relict alone they would deliver it.

Henry, in a transport of fury, summoned all his military tenants to meet him, properly armed and appointed, at Oxford, for the reduction of the castle; but he found himself diverted from the enterprise, for the present, by advices of a rising in the northern counties, where some disaffected barons had surprized and plundered the city of Lincoln. Upon this he dispatched his son Edmund, and Henry, son to the king of the Romans, with a strong party, to quell the insurgents. They acquitted themselves of their commission with such success as to surprize the rebels in Chesterfield, on Whitsun-eve, and, after cutting great part of them in pieces, to take the earl of Derby prisoner, who was sent to Windsor castle; but the other chiefs, Bernard Wake and John d'Ayville, made their escape, and, having gotten together the remains of their broken forces, seized upon the isle of Ely, and from thence extended their ravages all over Norfolk, Suffolk, and Cambridgeshire*.

Henry now marched in person against the desperadoes of Kenelworth, who, having received assurances from Simon de Montfort, that he would soon come to their assistance with a powerful army, set the king at open defiance. Henry sat down before the place on Midsummer-eve; but, notwithstanding that he was provided with every thing necessary for the reduction of a capital, the obstinate resistance of the besieged obliged him to change his operations into a blockade. In the mean time Ottoboni, cardinal of St. Adrian, who had come over with the queen from France, in the character of legate from pope Clement IV. endeavoured, in conjunction with the archbishop of Canterbury, to persuade them to surrender; but, finding all his arguments ineffectual, he proceeded to denounce sentence of excommunication upon the whole garrison.

The papal artillery, however, wrought as little effect upon their minds as the battering engines of Henry had on their walls; they continued obstinately to defend themselves to the last extremity.

The turbulent spirit of the times, and that general discontent which still seemed to prevail throughout the kingdom, threatening new insurrections every day, made Henry and his friends think it necessary to do something in the way of moderation, to calm the minds of the people. With this view he summoned a parliament at Kenelworth, on the twenty-fourth of August, in which the king confirmed the Charter of Liberties, and demanded the tenths of the revenues of the clergy, for three years; after which, the session took into consider-

† See Rot. Parl. 50 Hen. III. m. 35. among the records in the Tower.

* About the same time one Adam Gurdon, who had formerly been governor of Dunster castle, and was reckoned the strongest man in England, maintained himself, with eighty horse, in the woods between Alton and Farnham, and plundered the counties of Berks and Surry, until he was surprized by prince Edward, while his men were at some distance. Edward, ever fond of military glory, was desirous of encountering such a famous chief in single combat, and there-

fore commanded his followers to retire; accordingly the fight was immediately begun; both combatants discovered the most surprising strength, courage, and dexterity, and the victory remained for a long time doubtful; at length, Adam's foot slipping, he fell to the ground, and lay at the mercy of the conqueror, who not only granted him his life, but even admitted him into his service; and Gurdon was so charmed with the prince's bravery, as well as generosity, that he continued ever after a faithful friend to the royal cause. T. Wikes.

ation the case of those barons whose estates had been confiscated, and bestowed upon the king's adherents, when it was resolved, that all those who had been deprived of their estates for bearing arms against the king, should now recover possession, upon their engaging to pay into the king's Exchequer, in the space of three years, a certain sum of money (amounting in some cases to the value of their estates for five years, in some of three, and of others still less), according to the nature of the trespass, or delinquency of the proprietor. Small offences were to be punished with less severity; and Henry was restored to the exercise of his royal authority, which had been abridged by the Oxford Provisions, all obligations in consequence of them being declared void.

Such were the chief articles of this famous instrument, which was called the *Dictum de Kenelworth*, and were to be put in execution by twelve persons, nominated by the king and barons assembled in parliament; and if any contest arose, Ottoboni, the pope's legate, and the king of the Romans were to be joined to them. These twelve commissioners were the bishops of Bath, Worcester, Exeter, and St. David's, Roger de Saumari, Robert Waleran, Alan de la Zouche, the earls of Gloucester, Clare, and Hereford, John de Baliol, Philip Basset, and Warren de Basingbourn. This decree was published in the camp before Kenelworth, on the third day of October*.

The garrison of Kenelworth was become so formidable, and withal so odious, by the outrages they had committed in the adjacent country, that it was resolved by the king and his council, not to quit that part of the country till its final reduction. The besieged, though so closely blocked up that, for want of other provisions, they were forced to eat their horses, yet continued to hold out with an amazing resolution, relying on Montfort's promised assistance: the Kenelworth Provisions had not in the least abated their fury, nor that of the other rebels, who still kept possession of the isle of Ely. At length, however, the former, unable to withstand the attacks of famine, which proved more dreadful than all Henry's efforts against that impregnable place, and seeing no likelihood of being relieved, offered to capitulate, and to deliver up the castle, if not relieved by Simon Montfort in forty days. The term being expired, on the thirteenth of December the garrison marched out, but so wan and emaciated by hunger, that they resembled spectres rather than any of the human species: they were allowed all the honours of war, and to take with them all the rich booty they had amassed in their too successful sallies on the adjacent counties. Thus ended a siege, as remarkable as any in the English history.

The king, having committed the custody of this castle to his younger son, Edmund, to whom he had already granted the honour of Lancaster, the stewardship of England, and all the estate of the late earl of Leicester, repaired to Woodstock, where he passed his Christmas; and from thence to London, where he kept the feast of St. Edward the Confessor.

All this time the earl of Gloucester, having taken umbrage at the Provisions of Kenelworth, as not being sufficiently indulgent to those of the opposi-

tion, who were all alike included in the punishment, without a proper distinction being made as to those periods when opposition was lawful and unlawful, had kept away from court. He had promised many of his friends, who had continued in arms after the battle of Evesham, that the censure inflicted on them should be but slight, if they would submit themselves; numbers had done so, upon the faith of his promises, who now thought themselves harshly dealt by: so difficult is it to please restless and ambitious minds! add to this, that the earl had his disgust increased by seeing Roger Mortimer, who, with his family, had ever remained inviolably attached to Henry, through all his difficulties, gratified with very considerable gifts out of the forfeitures of Gloucester's friends; a meeting of the nobility was therefore held by Henry, in the beginning of the year 1267, in order to accommodate all matters with this powerful and captious subject, and bring him into a better humour: but this very meeting served only to give the earl fresh cause of discontent; for Henry, making a magnificent entertainment upon the occasion, had the meanness to place the pope's legate in the chair of state appertaining to majesty, and to take his place below him. This was sufficient to fire an English nobleman of Gloucester's spirit with indignation; he could not refrain from putting the king in mind of the sufferings he had brought upon himself by his partiality to foreigners, especially the retainer of the church of Rome; and representing to him the impolicy of this last step. Henry, puffed up with the favourable turn his affairs had lately taken, and impatient of rebuke even when urged in the mildest manner, answered the earl somewhat tartly, who thereupon withdrew, not a little displeased, and retired to his own estate on the borders of Wales, where he began to levy forces.

The court, apprized of this, resolved to make him declare himself one way or another, and a parliament was called at St. Edmundsbury, in the beginning of February, in which the earl was summoned to give his attendance; at the same time writs were issued, commanding all those who held of the crown to keep themselves in readiness to march against the rebels in the isle of Ely: but Gloucester neither gave his service or attendance. Upon this, John de Warenne and William de Valence were sent to expostulate with him, and require him to return to his duty. Gloucester, with all the dissimulation of the statesman, professed his firm attachment to the person and interests of Henry; excused his non-attendance by saying, that he was obliged to be upon his guard against Mortimer, and his other enemies; and, to take from Henry all suspicion of his design in arming his vassals, he gave it under his hand and seal, that he would never bear arms against the king and his son, but in his own defence.

Henry was the dupe of this artifice, and, thinking himself secure from any attempts on that quarter, bent his whole attention to the reduction of the Ely rebels: for this purpose he obtained an aid from the parliament, which no sooner broke up than Henry took the field, at the head of his army, and, advancing into Cambridgeshire, summoned the revolvers to surrender; but they refused to lay

* And is to be seen at large in a MS. copy, in the Cottonian Library, and in Tyrrel, p. 1064, 1065.

down their arms, unless upon the following conditions: "That Henry should restore them to their estates without diminution; that he should remove all strangers from his councils, and observe the Oxford Provisions." Most audacious demands, certainly, in men who had set their sovereign at open defiance, prevented the restoration of public tranquillity, and knew they must at length throw themselves upon that mercy which they now so insolently rejected! The king therefore prepared to reduce these obstinate men by force, and his operations were going on with some success, when, about Easter, he was alarmed with advice that the earl of Gloucester, having advanced by hasty marches to London, at the head of a powerful force, had made himself master of that capital.

Upon this important news, Henry, abandoning his expedition against the petty rebels for the present, and, being joined by his son Edward, advanced towards London with a very fine army, to the no small surprize of Gloucester, who had now thrown off the mask, and published a manifesto, declaring that he had taken up arms to procure reasonable terms for the proscribed; and that he would not lay them down until he should have compelled the king and prince Edward to fulfil their engagements, which they had hitherto neglected to perform. This manifesto he thought would have had such an effect upon the minds of the people, that Henry would have found himself abandoned even by his own friends; but when he saw that prince in the neighbourhood of London, at the head of a choice body of determined troops, he thought proper to capitulate; and Henry, glad of any means to still this leviathan of opposition, granted him better terms than he had reason to expect: he was not only pardoned, upon laying down his arms, but had even the satisfaction of procuring the same forgiveness for the city of London. He was, however, obliged to give security for his future peaceable behaviour, in the penalty of ten thousand pounds sterling; and the Dictum of Kenelworth was to stand upon the same footing as formerly.

This affair having ended so much more happily than could have been supposed, prince Edward was sent back to the isle of Ely. Upon his approach, the rebels, finding no prospect of relief, chose to surrender before they were reduced to extremity: the only condition granted them was the saving their lives and limbs. Thus were extinguished the troubles that had for five years disturbed the kingdom.

About the latter end of this year the Welsh, who had availed themselves of the late distracted state of England to commit numberless depredations on those parts contiguous to their country, finding that Henry, who had now his arms at liberty, was determined to employ them for their reduction, and that the earl of Gloucester, their powerful neighbour, had with his party joined the king in his designs, they resolved to avert the impending danger by a timely submission, and Llewellyn, son of Griffith, their prince, sent ambassadors to make proposals of peace, which was granted him, on condition of his paying the king thirty-two thousand marks, to do homage to him for his principality, and to deliver up certain castles into the hands of the crown.

The peace of the kingdom being now in some measure restored, the king, early in the year 1268,

summoned a parliament, wherein Ottoboni, the legate, was present, who gave the assembly to understand, that the pope had resolved to publish a crusade through all the states of Christendom, and he therefore exhorted the English to contribute their persons and substance toward the prosecution of an enterprize calculated to promote the glory of God and that of the Christian church. England, doomed to be beggared by the avarice, or depopulated by the ambition of the Romish see, lost the remembrance of her past misfortunes in enthusiastic folly; the crusading spirit again got possession of her sons, who ought rather to have been taken up in providing for the future ease and security of their harrassed mother-country. Prince Edward, with his brother Edmund and their cousin Henry, received the cross from the hands of the legate; and their example was followed by the earls of Gloucester, Warenne, and Pembroke, about one hundred and twenty knights, besides great numbers of inferior order, by the persuasion of the Franciscan friars, who preached it throughout all parts of the kingdom.

About November, this year, another parliament was convoked at Marlebridge (now Marlborough), when the best heads in the nation were employed in compiling a body of laws, which might supply the defect of all former systems, and compose those spirits which had been exasperated by the late severity. They were formed upon a fair review of former statutes and ordinances, and particularly of the Oxford Provisions, many of which, not hitherto mentioned, were now revived, and distinguished by the name of the Statutes of Marlebridge, which the reader will find in their place.

In this parliament the clergy granted a twentieth part of the revenues of their benefices to the king, for discharging part of the debts which he and his queen had contracted at home and abroad, during the late troublesome times: and Ottoboni, the legate, having assembled a synod at St. Paul's, made several ecclesiastical regulations, which are still known by the title of Ottoboni's Constitutions; and having now finished his business in England, he departed the kingdom; and soon after the king of the Romans set out for Germany. This year pope Clement IV. dying, the papal chair was vacant for three years.

In the year 1269, Henry held a parliament at London, in which the conduct of the Jews came under consideration. These people had, during the late times of national calamity, found means to become possessed of a very considerable landed interest, by getting lands from many of the king's subjects for loans of money, for the payment of which they had certain annuities or fees upon the estates of the debtors. It was therefore now provided, that no Jew should enjoy a freehold in any manor, land, or estate, by charter, gift, obligation, or otherwise. This was a great relief to the subject, and, no doubt, greatly enabled the nation to pay its subsidies.

In the month of July the king of the Romans returned to England, with his new wife, Beatrix de Falquemotte, niece to Conrad, archbishop of Cologne, a young lady whom Richard had espoused on account of her beauty alone, as he could reap no other advantage from such an alliance. Indeed this seems to have been a season very productive of marriages in the royal family of England: Henry de

de Almaine, son to the king of the Romans, had lately married Constance, daughter of Gaston, viscount of Bearne, the most powerful nobleman of Gascony; and prince Edmund, the younger son of king Henry, espoused Avelena, the daughter and heiress of William de Fortibus (or de Forz), late earl of Albemarle.

Prince Edward's thoughts were taken up in a very different manner: he employed his whole attention in preparing for his departure, while his father seemed wholly engrossed with the design of celebrating the feast of Edward the Confessor, his tutelary saint, in the most magnificent manner, and translating that saint's relics into a rich shrine of very curious workmanship. The ceremony was performed with great pomp and solemnity, Henry and his brother, the king of the Romans, bearing the relics on their shoulders, in presence of all the prelates and nobility of the realm.

Soon after the feast of St. Hillary, in the beginning of the year 1270, a parliament was assembled, in order to concert measures for the relief of the Christians in Palestine; and, besides a twentieth granted upon the moveables of the laity, and a tenth of ecclesiastic revenues, all the debts of the Jews, not assigned to Christians, were applied to the same purpose.

The earl of Gloucester seems about this time to have been dissatisfied with the court, for he was not present at this parliament. Prince Edward was alarmed at this; he knew the vast power of the earl of Gloucester, and was unwilling to leave behind him in the kingdom a person so capable to raise commotions therein to his disadvantage. The earl of Gloucester had taken the cross as well as himself, and Edward insisted that he should set out at the same time with him for the Holy Land: this Gloucester refused to comply with, on various pretences; and at length matters came to a rupture between him and the prince. The king of the Romans, ever desirous to heal every breach in the peace of his country, undertook to mediate between them; and a parliament was also summoned on this account, first at London about Easter, and again at the same place eight days after Midsummer; when the dispute being left to the decision of the king of the Romans, he gave his award to the following effect: "That the earl should accompany prince Edward to the Holy Land, unless hindered by sickness or some other necessary avocation: that he should receive eight thousand marks, and a ship for his passage, provided he would join the prince with his followers, on his arrival in Palestine; but should he chuse to act by himself, the sum should be reduced to two thousand marks; and he should give security for applying it to the purposes of the crusade: he likewise obliged himself, by the penalty of twenty thousand marks, to keep the peace in England even if he should be prevented from fulfilling his vow; and agreed to deliver his castles of Tunbridge and Henley into the hands of the king of the Romans, by way of security, until advice should come of his arrival in Palestine, and

then Richard should restore them to such persons as the earl should appoint."

This declaration was published on the eighteenth of July, 1270, to the no small joy of the whole nation, that this dispute, which might have produced such troublesome consequences, was so happily accommodated.

The better to secure the public peace, all the castles of importance were committed to the custody of such governors as were firmly attached to the interests of the prince; and, that the people might have nothing to apprehend on the score of their liberties, the bishops of Winchester, Worcester, and Hereford now solemnly ordered the bull of confirmation of the Great Charter and of that of the Forests, granted by pope Honorius, to be read in St. Paul's church, and they, at the same time pronounced sentence of excommunication against all who should infringe the same*.

To put the last hand to the work of general reconciliation, prince Edward prevailed with his father to restore the city of London to all its ancient privileges; in consequence of which the citizens again elected their own mayor and sheriffs, who were presented to, and sworn in before the king.

The nation now enjoying a profound calm, prince Edward prepared for his embarkation; and a parliament being called at Winchester, to take leave of him, in the name of the whole kingdom: the king, whose presence was judged indispensably necessary in his own dominions, delivered his cross to prince Edward, and assigned to him the whole produce of the subsidy lately granted him (Henry) for the expedition. The guardianship of Edward's son was vested in the king of the Romans; and the custody of his lands committed to Giffard, archbishop of York, Philip Basset, Roger de Mortimer, and Robert Walleran. Precautions were likewise taken for the administration, and every untoward consequence being provided against, as far as lay within the power of human foresight and prudence, Edward took leave of his father and uncle, and, on the tenth of August, embarked at Portsmouth, with his cousin Henry de Almaine, William de Valence, earl of Pembroke, Thomas de Clare, Roger de Clifford, and several other noblemen.

Lewis of France, who had likewise engaged in this crusade, was sailed for Africa when Edward departed from Portsmouth to take in the princess his consort at Bourdeaux, from whence they proceeded to Aigues Mortes, to embark on board their fleet, which was there waiting for them. They joined the king of France before Tunis, where he was waiting the arrival of his brother Charles of Anjou, then king of Sicily, and also to put the finishing hand to a treaty he had entered into with the Moors. Edward was very pressing with the French king to set forward without delay for Palestine, but he could not prevail with him to stir till he had settled those matters, with which Edward having no concern, asked leave of the king of Sicily to pass the winter in his dominions, determined to set forward for the Holy Land early in the spring.

* Some private animosities among the great noblemen were likewise made up. A suit had been long depending between John, earl of Warren and Surry, and Alan lord Zouch, concerning a certain manor; which, coming to a trial before the king's justices, in Westminster-hall, there happened to pass very reproachful language between the earl and the said baron, and they at last came to blows, insomuch that the earl and his followers, being privately armed, set upon lord Zouch,

and his eldest son in open court, and wounded them both; after which base action he fled to his castle of Rygate, in Surry, and stood upon his defence; but prince Edward was sent with some forces to reduce him to obedience: and at last he was fined to pay five thousand pounds to the king, and two thousand to the lord Zouch and his son. T. Wikes, p. 91. Ann. Waverl. p. 225.

He had scarce left the coast of Africa, when an epidemical distemper broke out in the French camp, and raged in such a manner that it not only swept away a prodigious number of the common men, but also the greatest part of the principal officers: Lewis himself was at length seized with it, and resigned his breath in the arms of his eldest son, Philip (surnamed the Fair), who succeeded him on the throne of France, to which he soon after returned, altogether regardless of the affairs of Palestine, which had been so much the darling object of his deceased father.

Charles, king of Sicily, landed at Tunis the very day after his brother's death; and having worsted the Tunisiens in several engagements, their king submitted to whatever terms he was pleased to impose.

Though, by Lewis's death, Edward lost all hopes of making any great progress in Palestine, yet he continued his voyage early in the spring, and arrived at Acon the latter end of April, 1271. He thought proper, however, to send back his cousin Henry de Almaine, to take upon him the management of his concerns in Gascony, from whence he had received advice of some commotions which he had reason to believe Philip, who was now returned to France, had a share in exciting. The young prince, taking Viterbo (a town in the papal dominions) in his road, made some stay there, which cost him his life; for his two cousin-germans, Guido and Simon de Montfort, who happened to be then at the same place, and were still breathing revenge for the death of their father, seeing the prince go into a church to hear mass, followed him, and murdered him at the high-altar, where he was offering up his devotions†.

The college of cardinals immediately denounced sentence of excommunication against the barbarous assassins; as did likewise Gregory X. ‡ after his elevation to the pontifical throne; and the king of Sicily endeavoured to seize their persons in Tuscany, but they found means to escape from his pursuits.

Philip of France expressed great concern for the untimely fate of this young prince, nevertheless Edward strongly suspected him of having encouraged this murder; a suspicion which was the source of that animosity which ever after subsisted between these two princes.

Edward's successes in Palestine were not very great; nor could much be expected from him, considering the handful of troops he had with him, amounting to no more than fifteen hundred men; these, indeed, were all chosen troops, and so well seconded the valiant efforts of their royal leader, as to convince the Saracens what they were to expect, had he been assisted with more forces; and, in fact, the latter were so terrified with his exploits, with the remembrance of the great actions of Richard Cœur de Lion, and the arrival of a prince of his

blood amongst them, that they chose rather to stand upon the defensive for some time, than to provoke a prowess they had so fatally experienced. However, to free themselves of their fears, they had recourse to the infamous arts of assassination. A villain was employed for that purpose, who, under pretence of proposing a negotiation between prince Edward and the governor of Joppa, was admitted several times to a private audience with him. One day, finding the prince alone, and sitting upon a couch with a loose gown only thrown over him, he approached him, and, offering him some letters with one hand, while the prince was busied in opening them, he with the other drew forth a dagger he had concealed about him, and attempted to sheathe it in the prince's breast; Edward fortunately warded off the blow, but received a deep wound in his arm, then seizing the villain, threw him to the ground, but not without accompanying him in the fall; while he was endeavouring, on the ground, to wrest the dagger out of his hand, he received another stroke in the forehead, which so exasperated him, that, having possessed himself of the ruffian's weapon, he instantly plunged it into his treacherous heart.

This affair caused an universal consternation among the prince's followers, which was not a little increased by the report of the surgeon, who declared the wound to have been made with a poisoned instrument, and that there were symptoms of much danger. Edward himself received this notice like a soldier and a man; he made his will, and expected his fate with perfect composure; but happily the great skill of the surgeon, who was an Englishman, effected a cure in little more than a fortnight.

We are well aware that our female readers run over this account with all the eagerness of expectation, to come to that part of it wherein most historians pay a compliment to their sex, at the expence of truth, by extolling the unexampled conjugal affection of Edward's princess Eleanor, who cured her sick consort by sucking the venom from his wound; but historical truth obliges us to refute this pretty tale, as having no foundation but in the imagination of those who delight in the marvellous*: though, at the same time we must so far satisfy the ladies as to assure them that Eleanor was so excellent a wife, that, had she believed this dangerous expedient to be the only possible means of preserving her husband's life, she would probably have tried it.

It is now time to see what passed in England during Edward's absence upon his crusade, and to draw the history of his father's reign to a conclusion.

Henry, who was now aged and infirm, about the middle of January, 1271, was seized with a disorder so dangerous that his life was despaired of, and the court was in the utmost consternation: at last, however, his health was re-established; but he instantly wrote to his son Edward to return as soon as possible to England. Besides the loss of

† This murder was committed on the thirty-first of March, 1271. Nothing could be more unjust than their prosecuting their revenge upon this prince, since neither he nor his father were present at the battle in which the earl of Leicester was slain, being then both under confinement. Henry's body was brought over the next year into England, and buried in the monastery of Hayles, in Gloucestershire, founded by the king of the Romans, his father; his heart was deposited in a golden cup, in Westminster abbey, near St. Edward's shrine. T. Wikes.

‡ Theobald, archdeacon of Liege, who had accompanied

Edward into Palestine, and was elected pope in August, 1271. *Acta Publ.* tome i. p. 878.

* The first that mentions this story is Camden, in his *Britannia*, from whence it has been transcribed by Speed into his *Chronicle*, and both these authors quote Rodericus Toletanus as their voucher: but it happens unluckily that this prelate, who, to the best of our knowledge, never laid claim to the gift of prophecy, finished his history, as he himself informs us, in the year 1243, i. e. about twenty-eight years before the fact is said to have happened.

that amiable prince, Henry, son to the king of the Romans, which happened in the course of this year, the royal family of England received another mortifying blow, by the death of prince John, the eldest son of prince Edward, a youth of the most promising hopes; in other respects, Henry's affairs were in a state of perfect tranquility, and he now sought to indemnify himself, in the close of life, for the many troubles he had sustained in the course of it, and lived in a state of retirement from all business.

In the beginning of the year 1272, he received advice of the death of his brother Richard, king of the Romans, who has made so considerable a figure in the history of this reign, and who ended his life, through grief for the tragical end of his eldest son, on the second of April, at Berkhamstead; his body was deposited in his own abbey of Hayles, and his heart in the priory of Rowley, founded by him, in the suburbs of Oxford, for the Cistercian monks. He was succeeded, as earl of Cornwall, by his son Edmund, who married Margaret, sister to the earl of Gloucester.

The great lords, taking advantage of the weakness and infirmities of their sovereign, violently oppressed the people; several commotions were raised in the North by the remains of Montfort's party, but were soon suppressed by prince Edmund and Roger de Mortimer. The populace of London also, unmindful of, and ungrateful for, the late favour shewn them, became so mutinous and unruly, that the king and his council were obliged to exercise some severities, in order to prevent an open sedition.

Shortly after there was a violent insurrection at Norwich, occasioned by a quarrel between the citizens and the monks, in which the cathedral and monastery adjoining were reduced to ashes by the townsmen. The monks, who generally make their own story good, represented this matter so much to the disadvantage of the citizens, that Henry was resolved to chastise the latter with the greatest severity. For this purpose he summoned a great council at Northampton, to which place, weak in health as he was, he repaired in person. Here the citizens of Norwich were fined three thousand marks of silver, for rebuilding the church and monastery; and were, moreover, obliged to purchase a golden cup, weighing ten pounds of gold, and the value of one hundred pounds of silver, in the room of one of the same weight, belonging to the monastery, that was melted in the flames: several of the most active in the riot were also drawn at horses tails to the gallows, and there hanged, and their bodies burnt.

Henry having staid twelve days at Norwich, returned to St. Edmundsbury, where he was seized with the malady which put an end to his life. The death of his brother, the king of the Romans, sat very heavy upon him; that prince had assisted him with his advice in all emergencies, and supported him with his authority; and, in a former indisposition, the king had appointed him guardian of the realm: such a loss must, therefore, have been severely felt by Henry, and doubtless co-operated with his own distemper, which increasing daily, he ordered himself to be moved by easy journeys, to Westminster; there finding his end approaching with hasty strides, he sent for the earl of Gloucester, and exacted from him an oath, that he would preserve the peace of the kingdom, and, to the ut-

most of his power, maintain the interest of his son Edward. Then sending for the chief nobility, he took a solemn farewell of them, and expired in the evening of the sixteenth of November, 1272, being the feast of St. Edmund the archbishop, in the sixty-fifth year of his age, and the fifty-seventh of his reign; and next morning the great-seal was delivered by John de Kirby and P. de Winton, the keepers, to the archbishop of York and the other lords of the privy council.

The deceased king's body, dressed in royal ornaments, was, on the twenty-fourth of November, carried by the chief nobility to the abbey-church of Westminster, where, by his own directions, it was interred near the shrine of St. Edward the Confessor, where his tomb, with his statue in brass, is still to be seen.

His character is so strongly marked by the principal actions of his life and reign, as to leave the historian nothing particular to say concerning it. His narrow genius and capricious temper, his attachment to foreigners and diffidence of his own subjects, his arbitrary principles and oppressive measures, were certainly the real causes of all those troubles which befel him during his long reign. But if he had few public virtues, it must be owned he had as few personal vices; he was neither addicted to debauchery, nor prone to cruelty: in a word, his character is so very insipid, that it is next to impossible to form any striking likeness.

As to his person, we are told that it was of the middle size, and of a robust make; and his countenance was of a particular cast, from his left eyelid hanging down so far as to cover a great part of his eye.

By his queen Eleanor, the second of the five daughters of Raymond, earl of Provence, son of count Alphonso, son of Alphonso I. king of Aragon, Henry had six sons and three daughters.

1. Edward, his eldest son, born at Westminster, on the twenty-eighth of June, A. D. 1239, in the twenty-fourth year of his father's reign; he had the surname of Longshanks, from his tall and slender make: he succeeded his father in the kingdom of England.

2. Edmund, his second son, born the twenty-sixth of January, A. D. 1245, and of his father's reign the twenty-ninth. He was surnamed Crouchback; some say from a strain he had in his shoulders, but more probably from wearing the sign of the cross (anciently called a Crouch) upon his back, as was usual with those who vowed voyages to Jerusalem in the time of the crusades. He was created earl of Lancaster; and on his person originally the contention of the houses of Lancaster and York was founded. He survived his father twenty-four years, dying in France in the year 1296.

3, 4, 5, 6. Richard, John (so named from his grand-father, king John), William, and Henry, all died in their childhood.

Of his daughters,

1. Margaret, his eldest, was born A. D. 1241, in the twenty-sixth year of her father's reign. She was married to Alexander III. king of Scots, in the year 1251, with whom she lived twenty-two years, and died before her husband, in the year 1271.

2. Beatrice, the second, was born at Bourdeaux, in Gascony, A. D. 1242, in the twenty-seventh year of her father's reign. She was married to John,

John, the first duke of Brittany; and, after living with him twelve years, she died in Brittany, in the first year of her brother Edward's reign, and was buried at London, in the choir of the Grey Friars within Newgate.

3. Catherine, the third daughter was born at London, in 1253, the thirty-seventh year of her father's reign. She died young, and was buried at Westminster, in the same tomb with her brothers Richard and John.

REMARKABLE OCCURRENCES.

In this reign the following remarkable things happened. In his fifth year, two impostors were crucified for giving out they were both of them the Messiah, or Christ; and two women were executed, the one for pretending to be the Virgin Mary, and the other Mary Magdalen.

In his seventeenth, it thundered for fifteen days successively, without scarce any intermission.

In his eighteenth, there was a great dearth, preceded by an earthquake. This year also (1233),

Henry built a house in London, near the Old Temple (where the Rolls now stand) for the reception of converted Jews; and an hospital at Oxford, near the bridge.

In his fifty-second year, the two companies of goldsmiths and taylor, of London, fought, and several were killed on both sides: the sheriffs appeased the tumult, and thirteen of the most mutinous were hanged.

Trial by fire and water ordeal, though never taken away by act of parliament, was, by king Henry's command, laid aside by the judges, and soon after grew quite out of use.

Weights and measures were thus fixed: an English penny, called a sterling, round and without clipping, was to weigh thirty-two wheat-corns taken out of the midst of the ear; and twenty pennies were to make an ounce, twelve ounces one pound, eight pounds a gallon of wine, and eight gallons of wine a London bushel, which is the eighth part of a quarter.

EDWARD I. * surnamed LONGSHANKS. A. D. 1272.

WE left Edward in Palestine, with only an handful of men to oppose the united power of the Saracens. This great prince, equally distinguished for his prudence as his prowess, having now lost all hopes of supplies from Europe, gladly listened to the propositions of peace made him by the sultan of Babylon, and, after some short negotiations, a truce was concluded between them for ten years, ten months, ten weeks and ten days †.

Having thus secured a safe and honourable retreat from this hopeless expedition, he embarked at Acon, about the middle of August, 1272, and the first place he touched at was Trepani, in Sicily. Here he received the first news of the death of his father and his eldest son John, at one and the same time: his affliction, on this occasion, appeared to be much greater for the loss of his father, than for that of his son; which being remarked with some surprize by Charles, king of Sicily, Edward answered him with uncommon piety, "That he held the loss of a son as trifling, because repairable; but that the loss of a parent could never be repaired." After having paid the tribute of grief and duty to his family, receiving daily accounts how necessary his presence was in England, he set forward; and, after passing the Alps, he arrived safely on the borders of France, where he distinguished himself greatly in a tournament against the count of Chalons, and several other French knights; and where we shall for a while leave him to attend affairs in England.

As soon as the funeral obsequies of Henry III. were performed, the nobility and clergy returned in a body to the high altar of Westminster, where they swore fealty to his eldest son Edward, the king's peace was established, and orders were sent to pro-

claim it in the several counties. In about a fortnight after the funeral, the great council of the kingdom was assembled in the New Temple, and the oath administered to all prelates, noblemen, and freeholders in England; those of Ireland swore fealty to Edward before Maurice Fitz Maurice, the justiciary of that kingdom: but Llewellyn ap Grifith, prince of North Wales, being summoned to appear and take the oath at the Ford of Montgomery, declined meeting the commissioners. Walter de Merton, an ecclesiastic, was appointed chancellor; and it was agreed, with the consent of the queen-mother, that the management of affairs, during the king's absence, should be vested, in the nature of a regency, in the hands of Walter Giffard, archbishop of York (Robert Kilwarby, then archbishop of Canterbury, not having yet received his confirmation from the pope), prince Edmund Plantagenet, earl of Lancaster, brother to king Edward, and Gilbert de Clare, earl of Gloucester. Thus was Edward universally recognized sovereign of this realm, without the least interruption to the public peace; and this is the first instance we have in the English history, of the crown of this kingdom being acknowledged hereditary.

According to the Annals of Waverley, the regency summoned a parliament, or great council of the nation, to meet at Westminster in January, 1273. This parliament consisted of all the archbishops, bishops, earls, and barons, abbots, and priors, in the kingdom, with four knights from every shire, and four members from every city. The same plan of representation had been first introduced by the earl of Leicester, during the time the late king was kept by him in confinement; but these assemblies had not the sanction of royal authority. It would be a point of too dry and un-

* This was in reality the fourth king of England of this name, there having been three Edwards in the time of the Saxons: for this reason, in speaking of this and the two following Edwards, by the name of Edward I. II. and III. it was usual to add, "post Conquestum—after the Conquest;"

but by degrees that addition was omitted. Rapin.

† During Edward's stay at Acon, his princess Eleanor was brought to bed of a daughter, who, from the place of her nativity, had afterwards the name of Joan of Acon, or Acres. Idem.

Engrav'd for
MORTIMER's
History of England.



J. Wale delin.^t

EDWARD I.

C. Grignion sculp.^t

entertaining a nature to enter into a discussion whether the commons had a right to send representatives to parliament before the time I am speaking of; and therefore I shall content myself with observing, that it is past all doubt that they enjoyed this privilege in the reign of Edward I. and from thence forward to the present times have preserved it without interruption.

In this parliament it was thought proper to confirm the acts of the regency consequent upon the death of the late king; and it was next ordered that there should be no itinerant judges, but only those of the bench, till the king's return.

Edward by this time was at Paris, where he was required by the king of France to do homage for those estates in France which belonged to him by hereditary right: this Edward readily performed, but in the following remarkable words: "Sir king, I do you homage for all the lands I ought to hold of you;" thereby intimating there were some lands he ought to hold, but did not, meaning those of Normandy and other estates.

Towards the latter end of the last reign, Margaret, countess of Flanders, upon pretence that Henry had failed to fulfil certain engagements subsisting between the two countries, seized all the effects of the English, which were very considerable, within her dominions: Henry made reprisals in England, and the matter went so far that all commerce and intercourse between the two powers (especially the woollen trade) was prohibited, and they were preparing to enter upon action, when, by the mediation of good friends, they came to a better understanding.

This year, however, the differences between the English and Flemish subjects breaking out afresh, Merton, the chancellor, received a letter from Edward, directing him to command the citizens of London, in his name, to issue a proclamation for all Flemings to depart the kingdom, but with a licence to receive the goods and effects that were due to them.

Edward having passed some time at the court of the king of France, where he was treated with every possible mark of politeness and regard, began to turn his eyes towards his French dominions, and taking leave of Philip, repaired to Gascony, where he heard Gaston de Moncade, viscount of Bearn, was in arms, and had invaded part of his territories. Upon the king's approach, Gaston and his followers fled to the mountains, to which he was pursued, and taken in one of his fortresses. Edward treated his prisoner with the greatest lenity; he even permitted him to ride abroad upon his parole of honour; but Gaston perfidiously took the first opportunity of making his escape: upon which he was summoned to the court of Gascony, held at St. Sever; and not obeying the citation, he was adjudged to forfeit all his towns, castles, and effects to the king, who also entered his country with a body of forces, to put the sentence in execution. Gaston seeing himself now at the brink of destruction, appealed to Philip, as lord paramount: Edward paid so much deference to this appeal, and the inhibition which followed it of course, that he immediately withdrew his forces, and, by a public proclamation, forbade any injury to be done to Gaston or his lands, whilst it subsisted. When this appeal came to be heard in the court of France, Gaston was ordered to

go and throw himself at the king's feet, submitting to his pleasure as to the punishment he should think fit to inflict on him: he did so; and found the king more ready to shew, than he himself was to ask, mercy.

Edward would not pretend to be a judge in his own cause, and therefore referred the whole matter to the arbitration of the king of France; and Gaston, displeased with this reference, had the insolence to demand, that he might be allowed to decide the dispute with Edward by single combat: the king, however, rejected his proposal with a just indignation, and the viscount continued in a state of outlawry for six years, at the end of which he was indulged with a pardon, and restored to the possession of all his territories.

The king having settled the affairs of Gascony to his mind, intended to have set out for England early enough in the spring of the year 1274, to be crowned on Sunday after Easter; but pope Gregory IX. (to whom he had paid a visit in his way through Italy) apprehending it might hinder some of the English prelates from coming to the general council which he had summoned to meet on the first of May, at Lyons, prevailed with him to defer his journey.

In the mean time, Margaret, countess of Flanders, finding herself greatly distressed by the stop put to commerce between her subjects and those of England, sent Guy de Dampiere, her son, count of Flanders, to Montrueil, to wait for Edward, who was to pass through that place in his way to England, and to compromise all differences, that the Flemings might be restored to their ancient freedom of commerce with the English, from which both she and they reaped very considerable advantages. Edward, upon this occasion, ordered the city of London to send over to Montrueil some of its principal merchants, to assist at the conferences, which were to begin on the twenty-second of July; and on the twenty-eighth of that month a treaty was signed, in which Margaret's demands of an annuity (which had, for a great number of years, been paid by the kings of England to the counts of Flanders) being set aside, Guy undertook to make good all the damages sustained by the king's subjects in the seizure of their effects; some of the chief of the nobility of Flanders being bound for the performance of this engagement.

Peace being thus established, and commerce opened with Flanders, Edward took shipping at Boulogne, for England, and arrived at Dover on the second of August, 1274. He was received by his subjects with all possible demonstrations of affection and respect; and on the nineteenth of the same month was crowned at Westminster, with Eleanor his queen, by Robert de Kilwardby, archbishop of Canterbury, in presence of Alexander III. king of Scotland, the duke of Brittany, and all the peers of the realm, who afterwards did him homage: and we are told, that to heighten the magnificence of the ceremony, he gave orders for letting loose five hundred beautiful Turkish horses he had brought over with him, which were to become the property of those who could catch them.

Edward, at his accession, found an exhausted treasury: indeed the clergy had, the year before, either by their own free gift, or in compliance with the pope's orders, granted him three years tenths of all ecclesiastical revenues; a very seasonable supply,

supply, as it helped to defray the charges of his coronation, and the ordinary expences of government. He had seen so much of the bad effects of his father's negligence and want of œconomy, that his first care was to enquire into the state of his revenue, and into the rights of the crown, the tenants that held of him either by military service or in ancient demesne, the number of fees held by the former, and the condition of the farms in the hands of the latter; and, that he might not neglect the privileges of the people, while he secured the prerogatives of the crown, he directed writs of enquiry to be made into the conduct of magistrates and sheriffs, in consequence of which, all who had been guilty of bribery, extortion, or any other kind of malversation, were dismissed from their posts, which were filled with men of greater probity and virtue.

The return of this enquiry having proved that many and great abuses had crept into government, which required a speedy hand to reform, he summoned a parliament, to be held fifteen days after Candlemas, 1275, at Woodstock, but which was afterwards prorogued till the Easter Monday following, then to sit at Westminster for the dispatch of business. The statutes made in this parliament will be found in their proper place; let it suffice here to say, that they were such as effectually provided for the ease and advantage of the crown, the church, and the state, gave an infinite satisfaction to the whole body of the nation, and gained Edward the entire affections of his people. Accordingly, to express their sense of the king's zeal for the common good, a grant was passed, either in this parliament, or in that which met the Michaelmas following, of a fifteenth of all moveables, to pay the debts he had contracted in the Holy Land; as also half a mark on each sack of wool, and a mark on every three hundred skins and each last of leather, throughout England, Wales, and Ireland, to be received by the king and his heirs for ever: this was called the New Custom, to distinguish it from that which had been paid to the crown from time immemorial. In one of these two parliaments also (most probably in the latter) several wholesome laws were enacted relating to the Jews, and in particular that they should no longer take usury for their money, but apply themselves to the arts of industry and merchandize; and farther, that they should wear badges on their upper garments, by way of distinction.

Whilst Edward was thus employed in the great and necessary work of reformation, he was summoned to a parliament in France, as a peer of that kingdom, and his personal attendance required by king Philip; but, on account of his affairs at home requiring his presence, he sent his excuses by two envoys, which were readily admitted by Philip.

Early in the year 1276, a parliament was summoned at Westminster, when Edward, to ingratiate himself more with his people, issued out his orders for the strict observance of the Great Charter and that of Forests; and also revoked several forfeitures of those who had been in Montfort's rebellions, and restored them to a capacity of inherit-

ing in common with his other subjects: this added a great number of friends to the government, and was of special service in detaching a number of martial subjects from their connections with the Welsh, who were, upon many occasions particularly troublesome to those parts of the country bordering on their territories.

Their prince Llewellyn, as we have already observed, had refused to come and do homage to Edward on his accession to the throne, on pretence that the peace had been violated on the part of the English; and that the fate of his father Griffith (who was long confined in the Tower, and lost his life in endeavouring to make his escape from thence) made him very cautious how he trusted to the faith of a king of England: in a word, he absolutely refused to do the required homage without the boundaries of his own fee.

Edward, who was not a prince to be trifled with, caused Llewellyn to be again summoned at this parliament; who again refused to appear without the bounds of his territories, but offered, if the king would send commissioners to receive it at his own court in Wales, or in any neutral place he should chuse to appoint, and, in case neither of these offers should be accepted, he offered to come to Westminster, provided the king would send his son Alphonso, together with the earl of Gloucester and the chancellor, into Wales, as pledges for the safety of his person; Edward resented this proposal as a violent insult upon his dignity, and therefore resolved to reduce this refractory vassal by force of arms.

Llewellyn, apprized of his preparations, resolved to strengthen himself by a strict alliance with the remains of the Montfort family; and for that purpose he demanded, from the court of France, Eleanor, daughter of the late earl of Leicester, in marriage. His request was readily complied with, and she was sent over, under the care of her brother Aumeri; but the vessel they were in being intercepted at sea, the betrothed princess and her brother, were both taken and sent up to Edward's court, where the former was kept prisoner of state, with a proper guard to watch her motions, and the latter ordered to be confined in Corfe castle.

As soon as the parliament broke up, the king assembled his forces, in order to march into Wales; in the mean time deputies arrived from Llewellyn, offering a ransom for his mistress, whom he said (and, indeed, not without a shew of justice) was detained against the faith of nations; but Edward would not consent to her enlargement unless the prince of Wales would bind himself to repair all the damages done to the borders of England, and restore all the castles he had taken during the late wars; conditions to which Llewellyn would not listen: the war was therefore begun, but the operations of the first campaign, not being immediately under the direction of either prince in person, were carried on with very little vigour*.

In the beginning of the spring 1277, Edward, assembling a great number of forces, put himself at the head of his army, and marched into Wales. And as Llewellyn chiefly depended upon his inac-

* Edward this year, about Michaelmas, held another parliament at Westminster: in this assembly, the famous statute of bigamy, founded on the sixteenth canon of the second council of Lyons, depriving all persons twice married of clerical privileges, was passed, after being drawn up into chapters, and read in presence of bishops, justices, and others of

the king's council, who agreed that it should be published for perpetual memory. But of this remarkable statute, more in our History of the Church.

About this time the king, to keep up the spirit of active valour, so necessary in that age, ordered solemn jousts and tournaments to be held at Cheapside.

cessible woods and fastnesses, for harrassing the English troops, and securing a retreat for himself, the king ordered a large road to be opened through a long tract of woods, from the Marches on the borders of Cheshire as far as Caernarvonshire, that his troops might penetrate with ease into the heart of the country; and while the greatest part of his forces were employed in this work, he erected the castles of Flint and Rhudhlan as he advanced; and then continuing his march onwards, he pushed the enemy as far as the mountains of Snowdon, their usual place of refuge when pursued by the English; at the same time a fleet, fitted out by the Cinque Ports to attend the king on this expedition, attacked the isle of Anglesey, which made but a faint resistance.

Llewellyn, finding himself thus cut off from all communication, either by land or sea, that could furnish him with provisions; to prevent the destruction that must have befallen him in this situation, resolved to sue for peace, and even to comply with such terms as Edward should think proper to dictate. The treaty was concluded at Aberconway, on the ninth of November, on terms very hard to the Welsh prince, for he was obliged "to pay fifty thousand pounds sterling, in satisfaction of damages; to quit for ever a tract of land containing all the country from Cheshire to the river Conway; and all claim to what the English had taken, except Anglesey, which, upon the payment of one thousand marks per annum, the king of his grace granted to him and his heirs lawfully begotten; but in failure thereof it reverted to the crown of England: to insure the performance of these articles, Llewellyn, with his council and twenty of the principal men out of every cantred, were to swear once in every year to observe them; and, in case of any breach on his part, the others obliged themselves to renounce their fealty to him, and join the king of England in reducing him to reason. Ten, likewise of the most considerable of his nobility were to be delivered as hostages; and Llewellyn was to come to England, at Christmas, to do his homage to the king."

Edward, however, the day after the treaty was signed, generously remitted the payment of the fifty thousand pounds, and even released the hostages without ransom. At the king's return to London, Llewellyn attended him thither, with some of his principal nobles, did homage and swore fealty to him, on Christmas-day, in the presence of a great number of the prelates and nobility of England; after which Edward delivered to him his betrothed spouse; and, to crown his benefits, was himself at the whole expence of their nuptials. But Llewellyn not appearing at a parliament which Edward held at Glastonbury, soon after Easter in

the following year (1278), it was suggested to the king that the other still harboured treacherous designs; upon which Edward went in person, with a small body of forces, into the Marches, to examine into the matter, and sending for Llewellyn to Worcester, the Welsh prince readily came and vindicated himself so well, that Edward was perfectly satisfied of his fidelity*.

Soon after Midsummer, 1278, Edward held a parliament at Gloucester, in which the statutes, since known by the name of the Statutes of Gloucester (for which see the article Laws, at the end of this period), passed: these were a compendium of some excellent laws, securing the rights and liberties of the subject, and providing for the better administration of justice. But, amidst the many excellent regulations which Edward made for the good of the kingdom, he took one step which might have occasioned the most fatal consequences: this was, the procuring an act to be passed, obliging all landholders and tenants of the crown to produce their title of charter before proper judges, appointed for that purpose. This statute, from the English word Warrant, was styled Quo Warranto, that is, a demand by what title a person holds his estate; an order that was justly considered as the source of great cruelty and oppression, and, as such, vigorously opposed by several of the great nobles and other military tenants†; when the king, plainly perceiving that the measures he was pursuing were very disgustful to the people in power, he wisely dropped the enquiry.

In a parliament held in October, this year, at Westminster, Alexander, king of Scotland, did homage to Edward for his English estates only. In the same parliament the state of the coinage came under consideration. The nation had suffered exceedingly, for some time, from the clipping of the coin, which had raised the price of necessaries to an excessive height, and almost ruined its foreign commerce. Upon enquiry, the Jews were found to have been the authors of that mischievous practice; upon which all of that nation were seized on the same day, in the month of November, in all parts of England, their houses searched, and their persons imprisoned; and a considerable quantity of clippings being found in their possession, the delinquents were, upon the fullest evidence, declared guilty, by commissioners appointed for that purpose: two hundred and eighty of them were hanged in London, besides those who suffered in other parts of England; and several Christians, who were proved to have been their accomplices, shared the same fate.

The king had been so much taken up with the business of the state, that he had not yet had time to go over to France, to take possession of the county

* It was during this progress that Edward, in order to destroy a ridiculous notion which prevailed among the Welsh, that the famous king Arthur was still living, a notion which with the populace, devoted to the memory of this hero, might have been fatal at this juncture, paid a visit, with his queen Eleanor, to the tomb of Arthur, in Glastonbury monastery, whose body was now, by Edward's order, removed from his coffin, and exposed to public view, under the shew of doing him honour, for they were placed in the treasury of the monastery. And the Register of Glastonbury says, that the bones of Arthur's queen Guenivir were taken up, and exposed at the same time, the king declaring, that he intended them a more magnificent interment. Accordingly they were deposited by the high altar, with an inscription upon the coffin of Arthur, signifying that these were the remains of Arthur, and that they

had been viewed by the king and queen of England, in the presence of the earl of Savoy, the bishop of Norwich, with several other noblemen and clergy. See the Register of Glastonbury, in the possession of the right hon. lord Weymouth, p. 93.

† Among others, John, earl of Warenne and Surry, was cited to appear before the king's justices for that purpose; and being called upon to produce his right, he pointed to his old family-sword, which he had brought into court, "With this sword (said he) my ancestors, who came in with William the Bastard, won their lands; and by the same I will defend them: it was not for himself that William conquered; it was not for him alone that my ancestors fought." A bold and spirited declaration! and which spoke the sentiments of almost all the old nobility in England. Hemingford. Chron. Abingd.

of Ponthieu which had fallen to his queen on the decease of her mother, Jane, queen of Castile, who died the year before at Abbeville; Edward, therefore, having provided for the peace of the realm during his absence, and appointed the bishops of Worcester and Hereford, with the earls of Cornwall and Lincoln, his lieutenants of the kingdom, he set out in the beginning of May, 1279, with his queen Eleanor. They were very honourably received by Philip of France, and Edward obtained seisin of Ponthieu, together with the Limousin, Perigord, and Quercy, upon giving security for the payment of six thousand livres, as a relief; he also confirmed the treaty of Abbeville, made between their fathers in the year 1259: and having finished these affairs, returned to England before Midsummer, to prosecute the great work of reformation he had so happily begun.

His first public act, after his return, was to put the coinage, so long and justly complained of, up a new and better regulation*.

About the middle of November, this year, a parliament was held at Westminster, wherein the famous statute of mortmain was passed. Great complaints had been made of the excessive wealth of the clergy and convents, which daily increased, to the prejudice of the nation in general: the barons, indeed, had taken care to insert a clause in the Great Charter, expressly forbidding all persons to alienate their lands in favour of the church; but this prohibition had been very little regarded. Edward having maturely considered this affair, saw plainly that, in process of time, all lands would be in the hands of the clergy; and that the church, never dying, but always acquiring and never alienating, could not but in the end engross all the estates in the kingdom, unless some remedy could be found against this growing evil: he, therefore, in this parliament, explained his sentiments on the subject, and proposed the making a law to prevent the pernicious consequences of a practice so directly opposite to the well-being of the state. The proposal was received with joy, and a statute was made, whereby all persons were forbid to dispose of their estates to religious houses or societies, without the king's express consent. This statute was called the Statute of Mortmain, because it was intended to prevent estates falling into dead hands (or Mortmain), that is, hands of no service to the king and the state.

* A magnificent tournament was, about this time held at Warwick, by Roger de Mortimer, with an hundred knights, in memory of the celebrated king's Arthur's round table.

† Powel, in his Chronicle of Wales, who gives us the following account of them. He pleaded that the king had retained several lands in Arustly between the rivers Divy and Divlas, and refused to give him satisfaction, unless he would suffer his cause to be tried by the laws of England, in direct violation of the articles of the late treaty: that the lord Gray, when appointed justice, had prosecuted the Welsh for some misdemeanors committed in the late reign, and of which they had been acquitted by the act of indemnity passed at the last pacification: that Rese ap Mayeton had been stripped of his lands and cattle, contrary to all the dictates of justice and equity: that many new customs had been introduced into the four cantredes held by the king, notwithstanding the solemn assurances he had given, that nothing of that nature should be attempted: that the inhabitants of Anglesey were tried by the laws of England, in direct contradiction to the articles of peace: that prince Llewellyn was forced to pay sums of money to the queen and queen-mother, under the title of "aurum reginae," which was an intolerable grievance: that when his marriage was celebrated with Eleanor, the king had compelled him to sign and confirm a writing, by which he engaged that he would never give shelter or protection to any person contrary

The year 1280 furnishes us with very few civil events worthy a place in history, we shall therefore only mention one or two transactions that are to be found in our records, and that in as concise a manner as possible.

Edward hearing that Guido de Montfort, one of the assassins of his cousin Henry, son to the king of the Romans, had taken refuge in Norway, engaged to pay two hundred marks to the seneschal of that country, to seize Guido, and deliver him up; but the latter having received advice of the negotiation, kept himself so private, that he eluded the vigilance of those who were employed to seize him.

Some differences having happened between the courts of France, Castile, and Arragon, Edward interposed his good offices so effectually, that all differences were compromised between those contending parties.

The merchants of Zealand, who traded to England, having been guilty of some offences tending to prejudice the English subjects, Edward, ever watchful over the interests of his people, ordered the effects of the Zealanders to be arrested, till they should make proper reparation; but their earl offering due satisfaction, the arrest was taken off.

Edward this year made a progress into the North, where he continued till the latter end of November. Soon after his return he confirmed to the German merchants all their rights and privileges, and particularly the gift of Guildhall, in the city of London, which they had received from his father Henry, at the instance of the king of the Romans. Edward this year ordered a magnificent tomb to be erected at Westminster, to the memory of his father. We will now turn our eyes from this very barren period towards a scene of action of much more business and importance, which opened the year 1281.

Edward's jealousy of the Welsh had made him wink at such oppressions of his officers upon that people as were beyond the sufferance of human patience. Llewellyn feeling like a generous prince the hardships of his people, sent his remonstrances to the king in a very strong manner; and if the grievances, of which an historian† has given us the substance, were real, this prince had certainly great reason to deliver himself from the yoke laid upon him. No regard, however, having been shewn to these complaints, David, brother to

to the pleasure of Edward; a most unreasonable article, which might deprive him of the assistance of his most faithful friends and servants: that the justices of Chester had levied a distress upon his goods, as an equivalent for the profits of a certain shipwreck, which he had seized in the course of the late war: that the king's officers, instead of administering justice to the Welsh with candour and impartiality, oppressed and imprisoned them out of mere wantonness and cruelty: and that the articles of the treaty in favour of himself and his subjects were never observed, but grossly violated in almost every instance, by the very persons who were bound to see them executed. David complained that he had been stripped of certain towns belonging to the cantredes, which had been conferred upon him as a reward for the many faithful and important services he had performed to the crown of England: that he was forced to answer suits concerning Welsh affairs in the king's court at Chester, contrary to the laws of the country: that the justice of Chester had destroyed his woods, oppressed his tenants, subjected the Welsh to an English jurisdiction, and haughtily rejected his remonstrances, when he demanded reparation for the injuries: that he was threatened in the king's court with the loss of his lands, cattle, and children: and that, in order to prevent such terrible calamities, he had been obliged to take up arms for his own safety and protection.

Llewellyn,

Llewellyn, calling together the Welsh noblemen, laid before them the miserable state of servitude into which they were fallen, and offered to put himself at their head, and venture his life to retrieve their liberties and independence. This proposal, so worthy of British blood, was joyfully accepted: every one present ran to arms, and, getting together their vassals and tenants, took the field with a strong body of forces, of which the command was given to David, who surprized the castle of Hadrwardin; and their numbers continually increasing, the insurrection became general. The castle of Rhudhlan was next besieged by them, and that of Aberiswith (or Lampadar-vaur) taken: and the Welsh now giving way to revenge, the sweetest passion of the human breast, when under the guidance of true reason, severely retaliated on the English, who came in their way, the injuries they had suffered from them.

Edward, alarmed at the progress, and heartily vexed at the success of the insurgents over his English subjects, who had, in many places, attempted a resistance in vain, determined at all events to crush Llewellyn and his people. Ambition and a thirst for universal rule, which no provocation can excuse, nor success vindicate, was unhappily the darling passion of Edward's soul; to that he made every other consideration give way; and the same breath that spoke peace and blessings to his own people, or those who voluntarily submitted to his sway, denounced never-ceasing vengeance and all the calamities of war against such who, even in defence of their natural rights and liberties, presumed to oppose his will, or think themselves not bound to contribute to his glory. This, alas! is a character not confined to Edward alone, but too generally applicable to those who affect military fame, and who, for the sake of the name of Conqueror, too readily forego the most glorious of all claims, that of universal humanity and benevolence. It is true indeed, that Edward was indefatigable in securing the happiness of his own subjects; but, at the same time, he thought all means lawful for extending the greatness of his own power over his neighbours. It was this disposition which induced Edward to abide only by the last argument of kings, and to reject several equitable proposals for accommodation, made both by Llewellyn and his brother, through the mediation of the archbishop of Canterbury, who, to his honour be it said, was unwearied in his pacific labours, but found Edward too determined in his favourite point to take any advice but that of his council. An extraordinary meeting of the nobility was called, when the king soon gave them to understand, that he was resolved to be satisfied with nothing less than the extirpation of the Welsh, their principality, and all their remains of ancient independence. However, in order to keep up some shew of justice, the archbishop of Canterbury had leave to propose, in his name, other articles, which, for the honour of the then government of England, we could wish the laws of history would excuse us from saying, were becoming no prince that was not lost to every principle but that of ambition. These were in substance as follows.

“That Llewellyn should submit at discretion to the king's mercy; in which case he was to have a pension of one thousand pounds sterling, with some county or earldom in England; and an honour-

able provision should be made for his daughter. The subjects of Llewellyn should be treated according to their rank, in whatever manner the king should please to order. And that if David, brother of Llewellyn, would agree to go on an expedition to Palestine, he was to be maintained by the king according to his quality; but he was not to presume to return home again without the king's permission.”

Terms like these could be only meant to excite the resentment, not to encourage the submission of a people not sunk in the most abject state of slavery. Accordingly we find them received with a generous indignation by Llewellyn, who returned for answer by the primate, “That the proposals were so dishonourable, that he was well convinced his nobility and council would never submit to them; and that, as he was not absolute in his own dominions, he could not pretend to enforce their acceptance, even if such was his own inclination; which, however, he professed to be altogether the contrary: nevertheless, that nothing might be wanting, on his part, to secure the peace of his country, he besought the archbishop to lay before the king certain articles, which ought to satisfy him why his proposals could not but be rejected by him and his people.”

The articles of this ultimatum, as it may be called, were thus conceived: “The Welsh noblemen declare, that they cannot consent to any terms of accommodation, unless king Edward will agree to a treaty for restoring the isle of Anglesey, and certain cantreds, that have for time immemorial appertained, by lineal right, to the prince of Wales, and the possession of which had, with the consent of king Henry, his father, been confirmed to him. That the inhabitants of Anglesey, and the territories under the dominion of the king of England, in virtue of the treaty of Aberconway, cannot think of submitting to the king's mercy, because he had violated every oath, covenant, and promise which he had made to prince Llewellyn and his subjects, and had suffered his officers to exercise, with impunity, every method of oppression and injustice upon the Welsh, in their respective departments. That as to the proffered pension of a thousand pounds per annum, they rejected it with disdain, as the inheritance of a free-born prince was neither to be bought nor sold. Lastly, that so long as life and limb remained, they never would suffer their ancient kingdom to become an acquisition to the king of England, of whose tyranny and oppression they had already felt but too convincing proofs.”

To these articles was added the reply of prince David, who signified to the archbishop, “that, should he be inclined to engage in a crusade, he would go to Palestine voluntarily; but it should not be by compulsion, forced devotion having no merit with Heaven: that as he had taken up arms in defence of his life and liberty, he depended upon the providence of God to protect him and his countrymen from the cruelty of the English, who had forced them to take up arms, by the inhuman and sacrilegious manner in which they had behaved towards them, whose churches they had burnt, whose sacraments they had profaned, whose priests they had slain, whose sanctuaries they had violated, murdering their persons without distinction of age or sex, plundering their effects, and driving them

out to all the sufferings of want and wretchedness." The reader, who is not dazzled by the great talents and prosperity of Edward, will plainly perceive from this detail, that he had injured and oppressed this unfortunate people without the least provocation or shadow of justice, purposely that they might be driven to despair and rebellion, which would furnish him with a pretext for reducing them to slavery and subjection.

The answer of Llewellyn and his council being transmitted to the archbishop, that prelate immediately excommunicated the prince of Wales and all his adherents; and early in the ensuing spring, 1282, the king began to prosecute the war with vigour, and, having assembled all his forces, he set out for the Marches of Wales about the latter end of April. He entered the enemy's country without meeting with the least opposition, Llewellyn and his brother having raised the sieges of Flint and Rhudhlan upon his approach, and retired to their fastnesses in Snowdon, watching for a favourable opportunity to attack him upon an advantage, when he might probably be embarrassed amongst the woods, with which that part of the country was over-run.

Edward, however, who had learned by experience how to deal with the Welsh, had recourse to a project, which none of his predecessors had ever ventured to attempt, and which is a striking proof of his great eagerness to succeed in his undertaking. This was, to invest his enemy by securing all the avenues through which it was possible for him to escape. With this view, after having fortified all the posts, he caused a bridge of boats to be made over the river Menay, opposite to Bangor, that he might send troops likewise into the isle of Anglesey. Before this work was quite completed, three hundred men at arms, under the conduct of lord William Latimer and Lucas de Thany, a Gascon, went over to the other side of the river, to keep the enemy in play, and allow the bulk of the army to pass the bridge without molestation.

The enemy, knowing the nature of the river, which would soon swell and cut off a retreat, did not at first oppose the passage of the main body of the English over the bridge, but when a sufficient number (about fifteen hundred) had got over, the Welsh rushed down from the mountains with horrid yells, and attacked them with such fury and resolution, that they were instantly routed with prodigious slaughter, not a single person surviving to carry back the news of this disaster, except the lord Latimer, who owed his life to the goodness of his horse, which swam with him across the river.

The English were so dispirited with this disaster, that their operations seemed to be at a stand: unable to advance, and ashamed to retire, Edward would perhaps now have listened to the propositions of the Welsh, had not the over-boiling of British blood saved him this mortification.

The prince of Wales and his adherents, flushed with their late success at the bridge, and encouraged by the inactivity of the English troops in consequence of that defeat, thought themselves more than a match for their enemies; and their

priests having persuaded them that the time was now come, when the prophecy of the great Merlin should be fulfilled, who had sung, that one of the race of Llewellyn should ride through the streets of London with a crown upon his head, it was resolved that the prince should commit the care of Snowdon to his brother David, and venture a battle with the English.

Accordingly he advanced into Radnorshire, with a design of conferring with some of Montfort's party, who had given him an invitation for that purpose. By the consequence, it should seem that they had betrayed his march to Edward, for his little army was met in its way by a strong body of forces, under Edmund Mortimer and John Giffard. Llewellyn himself had just before rode, attended only with one servant, into the cantred of Buelt, the place appointed for the conference between him and his pretended friends: he thought himself perfectly safe on the south, and therefore thought of nothing but securing his retreat northward: for this purpose he had left the main body of his army at a place called Pont Orewynn, a bridge which secured a passage over the river Wey. Whilst he was absent, this bridge was attacked by the English, the news of which being brought to Llewellyn, he made all haste back to rejoin his men, but in his return was hemmed in by a party of the English, against whom he for a long time defended himself with unparalleled bravery; at length he was killed by one Adam de Framton, who, without knowing who he was, ran a spear through his heart; but discovering him afterwards by a closer examination of his features, he cut off his head, and carried it to king Edward, who then lay encamped at the abbey of Conway.

Such was the end of Llewellyn, descended from one of the most ancient royal families in Europe. With him expired the liberty of the Welsh, the small remains of the ancient Britons; after they had preserved it in that little corner of the island above eight hundred years against all the efforts of the English monarchy, though destitute of all succours, without foreign alliances, and without a naval power. In what infinite contempt, then, ought we to hold those national zealots, who, under the name of historians, have attempted to blacken the memory of this brave people with the imputation of inconstancy, ingratitude, and rebellion, instead of paying the tribute of praise and commendation justly due to the glorious resolution with which they had hitherto defended the independency of their country.

Edward no sooner received the head of his fallen enemy, than he ordered it to be sent to London, there to be exposed on the highest part of the Tower. Such a barbarous triumph over the remains of a brave prince, who died in the most glorious of all causes, that of endeavouring to retrieve his people from slavery, reflects indelible shame upon the victor; and the brutal rejoicings of national rancour exercised on this occasion by the populace of England, were the highest encomiums on the memory of the vanquished*.

The death of Llewellyn struck the Welsh with so great consternation, that they made no farther

* The head of this great but unhappy prince was received in London with uncommon demonstrations of joy; the citizens carried it through Cheapside, upon the point of a lance, in a cart, decorated with an ivy crown, in ridicule of Merlin's prophecy: then it was placed on the pillory, that the

inhabitants might glut their eyes with the spectacle; and afterwards, pursuant to the order of the king, was placed on the point of a high staff, fixed for that purpose on the top of the Tower of London. Hist. of Wales, p. 373.

efforts to save their sinking country, but, in general, took the party of submission. As for David, brother of the deceased prince, he lurked for some time in woods and bogs, in the greatest distress for want of provisions; but was at last seized, with his wife and children, in one of his retreats, by some of his own people, and conveyed a prisoner to Rhudhlan, from whence he was, by Edward's orders, sent in chains to Shrewsbury. Rufe Vaughan, one of the most considerable noblemen left in arms, when he heard of David's being taken, submitted to the earl of Hereford, one of Edward's generals, and was sent in custody to the Tower of London. All the rest of the Welsh nobility and gentry, following his example, delivered up their castles, and were distributed, for a time, in different parts of England.

About the latter end of the summer of the year 1283, summonses were issued for a full meeting of parliament at Shrewsbury, to deliberate upon the fate of the captive David. Matthew of Westminster speaks of his being tried by the nobility; and the Chronicle of Dunstable, which gives the most particular account of the affair, says, that he was tried "by the whole baronage of England," and condemned, as a traitor, to be drawn, hanged, and quartered: a sentence which was executed with many circumstances of barbarous exultation; his bowels were consumed in the fire; his four quarters sent to York, Bristol, Northampton, and Winchester; and his head was placed on the Tower, by that of his brother Llewellyn. This is the first instance of this manner of execution done upon traitors, which hath since been commonly continued.

The truth seems to be, that Edward, considering him as the last of his family, was willing to secure the conquest he had made of his country, by his death; though most historians have been fond of representing his severity to this prince as a just punishment for the ingratitude of the latter to the king of England, who had formerly been his protector and benefactor: but what protection, what former acts of friendship, can authorize the attempt to deprive a sovereign prince of his liberty and independence; and what gratitude can influence such an one to make a sacrifice of his own rights and privileges, handed down to him by a noble train of ancestors, and those of the people over whom he was born to rule? Again, let us ask the most sanguine of Edward's adherents, what they would have said if a king of France, after taking a brother of the king of England in fight, had ordered him to be ignominiously hung upon a gibbet? or if, finding the body of the king himself slain in battle, had caused his head to be placed on the walls of the Bastile?

Edward having thus secured the conquest of Wales, built two castles, one at Aberconway and another at Caernarvon; and having settled the civil government of Wales, it was ever after annexed to the crown of England. It is, however, happy for the Welsh, placed as they were in such disadvantageous circumstances, that, when they fell, they fell into a state, not of slavery, but of dependence, and of such a dependence as bears marks rather of an union than a conquest.

Before Edward left Wales, in the beginning of the year 1284, we find him holding a parliament at Acton Burnel, in which the king, in return for

very considerable aids granted him by his subjects, passed the law which is still called the Statute of Acton Burnel, by which a remedy is provided for merchants, for recovering their debts by recognizances in the three capital cities of London, York, and Bristol.

Edward having been prevented, by the Welsh wars, from undertaking the expedition to the Holy Land, in which he had engaged, appointed his brother Edmund, earl of Lancaster, for that service; and there having been six years tenths collected from the clergy, agreeable to the canon of the second council of Lyons, laid up in the several monasteries and other places, for an aid to the Holy Land, pope Martin IV. sent two Preaching Friars into England, for the exportation and return of this money by his agents and foreign merchants, whereupon the king issued out a writ to prevent it; and, moreover, sent commissioners the next year, to the places where it was deposited, and ordered it to be kept for his own service; but as soon as he received the supplies from the parliament of Acton Burnel, he ordered the money to be faithfully restored, which he had borrowed only for his immediate exigencies.

The satisfaction which Edward received from the conquest of Wales, was damped for a while by the death of prince Alphonso, his eldest son, a youth of extraordinary hopes, though no more than twelve years of age, who died a little after Christmas, 1283. This was the third son Edward lost within the space of three years: John, his eldest son, died before his return from the Holy Land; and Henry, his second son, soon after.

In the beginning of the year 1284, Edward made a progress into Glamorganshire, where he was received with extraordinary magnificence by the earl of Gloucester, between whom and the king there now appeared to subsist the most perfect good understanding. Edward, willing to render himself as popular as possible in that country, about the beginning of April, ordered a tournament to be celebrated in honour of the famous Round Table of the Welsh hero. During these festivities, his queen was brought to bed of a son at Caernarvon, and Edward gave the young prince the name of that place.

Edward, having settled matters in Wales, came, about the middle of December, to Bristol, where he kept his Christmas, and held a parliament; and then repaired to London, from whence he had now been absent near three years. Soon after his arrival, namely, about the middle of February, 1285, he received a summons from the king of France, to attend that prince in his war against the king of Arragon, by reason of the lands he held in Gascony; but a truce being soon after concluded between those two powers, Edward was left at liberty to attend the affairs of his own kingdom.

One of his first cares, after his return to his capital, was to reform many great abuses that had crept into the magistratical function of the city. George Brooksby, the mayor, was turned out, for taking bribes from the bakers, to connive at their selling their bread six or seven ounces too light in the pound loaf: and the king took away the charter of the city, and put in another mayor by his own authority. At the same time licence was given to merchant-strangers to rent houses and keep shops; whereas formerly they were only importers of goods,

goods, and the English landlords, with whom they lodged, acted as brokers to sell the goods for them.

This year the king called a parliament at Westminster, which made some addition to the ancient statutes, by the name of the Second Statute of Westminster. Another parliament was held at Winchester, in the beginning of October, wherein some statutes were made against robbers. The abbey-church of Westminster, which had been sixty-six years in building, was finished this year.

About the middle of the year 1286, the earl of Gloucester, in consequence of a treaty of marriage he had entered into, the foregoing year, with Edward's daughter, prevailed with his countess, Alice, daughter of the count of la Marche, to consent to a mutual divorce, upon his allowing her a separate maintenance suitable to her degree.

Philip the Hardy dying about this time, was succeeded by his son Philip the Fair; upon which Edward, finding his presence not absolutely necessary at home, where affairs were in profound tranquility, resolved to pass over to France. He was induced to undertake this journey by three important considerations: the first was, to demand of Philip the provinces taken from his grand-father and father, John and Henry III. The second related to the homage he was to pay to the new king of France, for his territories on the continent. And the third, to mediate an agreement between the houses of Anjou and Arragon, concerning the title to the kingdom of Sicily. Therefore, having constituted his cousin Edmund, earl of Cornwall, guardian of the realm during his absence, he set out, in July, 1286, for France.

He found the French court at Amiens, who received him with the greatest respect. From thence the two kings set out for Paris, where a parliament was held, and Edward did homage to the king of France*; after which he procured a truce between the two powers at war; and, in consideration of his good offices, Philip indulged him with an exemption for life from all penalty and forfeiture on account of appeals, from himself or his ministers, to the court of the French monarch. A new treaty was also ratified, confirming the last which had been concluded at Amiens: and then, repairing to Guienne, he convoked an assembly of the states, to make some wholesome regulations for the advantage of a country, which had lately manifested uncommon zeal for his service, in contributing both troops and money towards the conquest of Wales. But at the same time, blending justice with his benefits, he put to death the ringleaders of some turbulent individuals of Bourdeaux, who had entered into a conspiracy for surrendering that city to the French

king. Before he left the court of Philip, he used his utmost endeavours to obtain the restitution of the provinces which had been taken from the crown of England by the predecessors of Philip; but all his pains on that account were ineffectual: the court of France being then in a flourishing condition, and in no danger from England, was deaf to all his proposals.

While Edward was at Oleron, in Bearn, he was seized with a distemper, attended with very alarming symptoms. In this hour of his distress, he, agreeable to the enthusiastic notion of the times, which affected alike the noblest and the weakest minds, made a vow to Heaven, that, if his health was restored, he would undertake a pilgrimage to the Holy Land. His good constitution, or the skill of the physicians, having overcome the malady, he assumed the badge of the cross, but without fixing any time for going upon his pilgrimage.

During his absence this year, Alexander III. king of Scotland, was taken off by an immature death, in the forty-fifth year of his age, to the infinite regret of his subjects, by whom he was highly beloved for his personal virtues, and who with sorrow beheld the weakness of the royal line. His son had died about three years before: his daughter, Margaret, who had been married to Haquin, or Erckin, king of Norway, in 1281, was likewise dead, leaving behind her a daughter, named also Margaret, an infant, who was now, by the act of succession, heiress to the crown of Scotland. Accordingly, the estates of that kingdom meeting after the king's death, recognized her title, and appointed six guardians of the realm during her minority.

Edward having been informed, by letters from the council of state, that the kingdom was greatly infested with robbers, who, roving about in strong bodies, despoiled the substance, and maltreated the persons, of the defenceless country inhabitants; and that these grievances were chiefly owing to the exemptions claimed by the barons, who interrupted the course of justice by frequently taking such delinquents under their protection; the king, by his letters patent, forwarded hither in the beginning of the year 1287, appointed a new kind of justiciaries, immediately dependent on himself, and gave them power to exercise their authority in every part of the kingdom, to which their commission extended. These commissions were granted to certain knights in every county in England, in order to preserve the peace, and see the statutes against robbers more punctually executed: he also commanded the sheriffs of the respective counties to

* As this is a matter of moment, and was afterwards attended with great consequences, it will not be improper to recite the very words of the homage, with the protestations, as they stand in the Collection of the Public Acts, tome ii. p. 320.

"Be it remembered, that, on Wednesday in Whitfun-week, in the fourteenth year of king Edward, and the first of Philip king of France, king Edward, in a chamber at Paris, near the palace of the king of France, did homage to his lord the king of France in these words, which were then repeated for him by the bishop of Bath and Wells:

"Sir, king of France, certain large demands were made by Henry, father to my lord the king of England, upon Lewis, your grandfather, formerly king of France; upon which demands a peace was concluded between them: by which peace the said king Henry did homage to your aforefaid grandfather, for all the lands which he holds on this side the sea, and for the lands

which the forementioned king promised to give him by the said peace. And my lord here present, after the death of his father, did homage to your father, king Philip, for the said lands, according to the form of the said peace. Notwithstanding this, sir, my lord might, with reason, as some of his counsellors have advised him, dispute the said homage, because the terms of the foresaid peace have never been fulfilled; and because some attacks have been made upon the lands which he possesses, greatly to his prejudice. But, notwithstanding this, sir, he is unwilling to withhold, at present, aught of that homage, provided that, as a worthy sovereign ought to do, you make the peace to be observed, and all incursions prevented and indemnified.

"I become your liegeman for the lands which I hold of you on this side the sea, according to the peace made between our forefathers."

assist with the posse, if necessary, in the execution of their orders and warrants. Such was the original of justices of the peace, so called from the design of their institution.

Whilst Edward was thus employed in providing for the tranquility of his nation and the good of his people, a rebellion was raised by Rufe ap Meredyth, a powerful nobleman of South Wales, who had assisted the king in his late war against his own countrymen, and had received from Edward the honour of knighthood, who had promised him, moreover, an handsome pension as a reward for his services. This promise not having been performed, Rufe of course became a malecontent; add to this, that being himself allied to the late royal family of Wales, he thought Edward's absence afforded him a favourable opportunity to mount the throne of the British princes.

Having assembled a body of forces, as he thought sufficiently strong to secure him success, he threw off the mask, laid siege to, and reduced the castles of Dynevawr and Llanandover, and burnt several towns to ashes.

In order to suppress this insurrection, the earl of Cornwall summoned the military tenants of the crown to attend him; and entering Wales, took several places belonging to the rebels; but being unable to force them to a battle, he was obliged to return to England, about the latter end of November, to put his troops into winter-quarters. He had no sooner quitted the Welsh frontiers, than Rufe began to renew his depredations; but Robert Tiptoft, justiciary of Wales, marching suddenly against him, cut off his retreat to his fastnesses; and, compelling him to come to action, gave him a total defeat: Rufe, however, escaped from the battle, and fled by sea over to Ireland, leaving those Welsh noblemen who had joined his cause, to shift for themselves.

All this time Edward, who remained on the continent, was busied in bringing about an accommodation between the king of Arragon and Charles of Anjou, prince of Salerno, who had been taken prisoner by Doria, the Arragonian admiral: at length he succeeded so far, that Alphonso (king of Arragon) agreed to release Charles, on condition that he should give his own three sons, and forty noblemen of Provence, as hostages for the performance of a treaty now made between the two contending princes, together with thirty thousand marks, and the whole county of Provence; all which were to be forfeited in case he should neglect such performance, or return within three years to his confinement in Arragon. This negotiation took up the greatest part of the year 1288, and was certainly one of the most shining periods of Edward's reign, the motives of action being founded on his friendship, and the reason of its success owing to his power, and the great credit in which he stood with all Europe: the first, the most amiable of virtues; and the latter, the most flattering of possessions.

His long absence from his dominions had, however, given some umbrage to the nobility, who, thinking that he gave too much attention to the affairs of strangers, to the neglect of his own people, gave manifest signs of their discontent, by refusing to grant the king a supply, demanded of them, in his name, by the bishop of Ely, lord high-treasurer, in a parliament summoned for that

purpose by the royal commission; the earl of Gloucester answering, in the name of the whole assembly, "That they would not grant any money in aid, unless the king appeared in person in his parliament, to demand it."

Edward, alarmed at this refusal, thought it high time to return home, and began to make preparations for setting out early in the beginning of the year 1289; but, through unavoidable delays, it was the middle of August before he arrived at Dover. His first care was to reform several abuses that had been introduced during his absence (now upwards of three years) particularly in the administration of justice. Upon complaints from all hands, that the judges had suffered themselves to be corrupted, he ordered a parliament to be summoned at the feast of St. Hillary, in the following year, 1290, to examine into their conduct, which was accordingly done, and the guilty were severely punished: of this number were sir Thomas Weyland, chief-justice of the King's Bench, who was banished the realm, and his estate confiscated to the king's use. His colleagues on the same bench, W. de Brompton, Roger de Leicester, and John de Lovetot, Ralph de Hougham, Henry de Bray justiciary of the Jews, and Robert de Littlebury master of the Rolls, were imprisoned in the Tower, the last fined one thousand marks, and the others in much greater sums. Solomon de Roffa, Thomas de Sudington, Richard de Boyland, and Walter de Hopetoun, justices-itinerant, were likewise fined. Two only of all the judges appeared to have discharged their office with justice and integrity: the names of these, which surely deserve to be transmitted to posterity, were John de Martingham, and Elias de Bokingham, both clergymen. The proofs against the rest were so clear, that they were even ashamed of denying their crimes. Upon their removal the king filled their places by men of known probity, assigning to each bench two knights and as many clergymen.

In this parliament also an act was passed for banishing the Jews out of the kingdom for ever, they having rendered themselves infinitely odious to the whole nation, by their usury and extortion. They were ordered to depart the kingdom before the first of November, 1290, on pain of death, and all their wealth, except only such sums as were necessary to defray the expence of their voyage to the continent, was confiscated to the king's use. Many of these unhappy wretches, in their passage, were murdered by the mariners of the ships on board which they were, through the hopes of finding treasure concealed about them; but Edward severely punished the assassins at their return to England.

In the beginning of May, this year, Edward bestowed his daughter Jane, or Joan, of Acres, on the earl of Gloucester, after that nobleman had sworn to maintain the lineal succession of England. In the month of July following, his other daughter Beatrix was married to the eldest son of John, duke of Brabant. But the joy occasioned by these alliances was soon destroyed, by the loss of his beloved queen Eleanor, who died as she was accompanying him in a progress to the North, at Hordeby, in Lincolnshire, on the twenty-ninth of November, 1290. The death of this truly excellent princess, who had lived his wife in loving participation of all his troubles and long voyages thirty-six years,

overwhelmed him with the most poignant grief; and, making every other consideration give way to affection, he instantly returned to Westminster with her corpse, where her obsequies were performed with a magnificence suitable to the greatness of his love, and the deep sense he had of her loss. He ordered a handsome tomb, with her image on it in brass, to be erected over her grave; as likewise several crosses of stone to be raised to her memory, with her arms engraven upon them, at those places where her body had rested in its conveyance to London, and where solemn dirges had been sung for her soul, as at Northampton, Waltham, &c. some of which crosses are still remaining: there was one in Cheapside, and another at the place called to this day Charing-cross; these two last were taken down by order of the Long Parliament, A. D. 1643, as relics of popish superstition.

This year died John de Kirkby, bishop of Ely, high-treasurer, and was succeeded by William de March.

We now come to the grand affair of the reign of Edward I. I mean the conquest of Scotland, of which it is very difficult, not to say impossible, to speak in such a manner as to please both countries; for although the two nations agree as to the facts, and the occasion of this conquest, they widely differ as to the right. If we believe the English, Edward was guided wholly by the dictates of reason and justice; the Scots, on the contrary, represent him as an ambitious tyrant, led only by the desire of universal rule to take advantage of the troubles of a neighbouring state, in order to make himself master of its crown, without even the shadow of a lawful pretence. Without espousing the sentiments of either party, I shall relate the circumstances as they are to be found in our public acts, with all possible perspicuity and candour, and leave the reader to draw such inferences as may be most agreeable to his own conceptions.

It has already been related, in a former page, that Alexander III. king of Scotland, being killed by a fall from his horse, in the year 1286, his grand-daughter Margaret, his only surviving heir, was acknowledged queen of Scotland, in an assembly of the states of the kingdom; and the bishop of St. Andrew's, with those of Fife, Buchan, and Glasgow, John Comyn, and James, seneschal or steward of Scotland, were appointed guardians of the realm during her absence (she being then an infant, at the court of her father Erckin, king of Norway, who had married Alexander's daughter Margaret, who was deceased), or till it was known whether the late king's relict was pregnant.

There was at that time a particular friendship between the kings of England and Norway, Edward having assisted Erckin with men and money to revenge the death of his grand-father, who had been murdered by the king of Denmark. Edward had for some time entertained a design of uniting Scotland with England, by means of a match between his son Edward and Erckin's daughter Margaret, heiress of Scotland, as a step that would be of great advantage to both nations. This proposal was very acceptable to Erckin; nor does it appear to have been at all distasteful to the guardians of Scotland, for, in a treaty held at Salisbury, on the sixth of November of the foregoing year, 1289, it was agreed between the king of England, the ambassadors of Erckin, king of Norway, and the commissioners sent

from Scotland (who were the bishops of St. Andrew's and Glasgow, Robert de Bruce lord of Annandale, and John Comyn), that queen Margaret should be sent into England or Scotland before the feast of All Saints next ensuing, upon the guardians of the latter kingdom giving security that, in case she went thither, they would not dispose of her in marriage without the consent of her father and great-uncle.

Prince Edward, the king of England's son, being related to Margaret within the prohibited degrees of consanguinity, it was necessary to procure a dispensation from the court of Rome for their nuptials. Pope Nicholas V. who then filled the pontifical chair, was easily persuaded to grant that favour, upon receiving the arrears of the tribute due by England, which now amounted to the sum of six thousand marks. The guardians and parliament of Scotland being informed of the removal of this obstacle, wrote a letter to the king of Norway, entirely approving of the match, and of his sending the princess into England: and the deputies from Scotland having made their proposals, Anthony Bec, bishop of Durham, who had the chief management of the whole of this negotiation, the earls of Warrene and Lincoln, with William de Vesey, and the dean of York, were empowered to settle them, with the consent of the parliament of Scotland; and, on the eighteenth of July, 1290, they agreed to the following articles for the marriage.

First, That the Scots should enjoy all their privileges and immunities, both ecclesiastical and civil. But there is here an ambiguous, and, indeed, an insidious, salvo, which was, saving the rights of the king of England, or any other person, on the Marches or elsewhere.

Secondly, That if Edward and Margaret should die without issue of the body of Margaret, the kingdom shall revert, entire, free, absolute, and independent, to the next immediate heir. To this and the subsequent articles no salvos were added.

Thirdly, That, in case of the death of prince Edward without issue of the body of Margaret, her majesty's person shall be remitted, in like manner free and independent, to Scotland.

Fourthly, That no person, either ecclesiastic or laic, shall be compelled to go out of the kingdom, to ask leave either to elect, or present their elects; nor to do their homage, fealty, and services; nor to prosecute law-suits; nor, in a word, to perform aught usually performed in Scotland.

Fifthly, That the kingdom of Scotland shall have its chancellor, officers of state, courts of judicature, &c. as before; and that a new seal shall be made and kept by the chancellor; but with the ordinary arms of Scotland, and the name of none but the queen of Scotland engraved upon it.

Sixthly, That all the papers, records, privileges, and other documents of the royal dignity of the crown and kingdom of Scotland, shall be lodged in some secure place within the kingdom, at the sight of the nobility, whose seals shall be appended to them, and there kept till either the queen shall return to her own kingdom, or shall have heirs to succeed her.

Seventhly, That parliaments, when called to treat of matters concerning the state or inhabitants of Scotland, shall be held within the bounds of the kingdom.

Eighthly,

Eighthly, That no duties, taxes, levies of men, &c. shall be exacted in Scotland, but such as, being usual in former times, shall consist with the common interest and good of the nation.

Ninthly, That the king of England shall oblige himself, and his heirs, in a bond of one hundred thousand pounds sterling, payable to the church of Rome, in aid to the Holy Land, to make restitution of the kingdom in the cases aforesaid; and that he shall consent that the pope restrain him, and his heirs, by excommunicating them, and interdicting their kingdom, to both the foresaid restrictions, and payment of the said sum of money, if he or they do not stand to the premises.

Lastly, That Edward, at his own charges, shall procure the pope to confirm these articles, within a year after the consummation of the marriage; and that, within the same time, the bull of his holiness shall be delivered to the community (that is, the barons and prelates) of the kingdom of Scotland.

These articles being ratified, the bishop of Durham was appointed the queen's lieutenant in Scotland; and two of the Scotch commissioners, with the earl of Warrenne and the dean of York, embarked for Norway, to settle every thing relating to the marriage: prince Edward likewise constituted the earl of Warrenne his proxy, to contract the marriage in his behalf with the young queen, and every thing appeared ripe for effecting a lasting union between the two kingdoms, when this coalition, which would have been so much for the advantage of both people, was suddenly and unexpectedly broken off by the untimely death of Margaret, who died in one of the islands of the Orkneys, whither she had been driven by stress of weather, as she was on her passage to England, in the month of October, 1290.

The death of this princess, in so critical a juncture, brought upon Scotland all the calamities which attend a disputed succession; and, besides the intestine broils and the foreign invasions, which presently after rendered that country a scene of blood and desolation, it laid the foundation of those wars and depredations on the borders, which were continually carried on for some ages between the Scots and the English, and of that animosity which hath subsisted ever since, in some degree, between the two nations.

There were now no less than twelve claimants to the crown of Scotland, and the nation was divided into parties, for supporting their different pretensions. The guardians of the kingdom would not take upon them to judge in the case; the parlia-

ment was divided in its sentiments; and if they had determined the dispute by a majority of voices, several of the competitors were men of so much power that they would hardly have submitted to their decision; the animosities of parties might be heightened, and the nation thereby subjected to the miseries of a civil war. In these circumstances, it was resolved, by the consent of all the claimants and the nobility of the realm, to refer the matter to the judgment of the king of England, who had already shewn himself so able and impartial an arbitrator, in several disputes between the princes of Europe, and who, moreover, by the power he was possessed of, was in a situation to compel the claimants, who should lose their cause, to acquiesce in his sentence. Upon these considerations it was resolved to send William Frazer, bishop of St. Andrew's, with some other deputies, to desire Edward to take upon him the office of arbitrator. The deputies arrived in England in the month of February, 1291, where they found the king holding a parliament at Westminster.

Edward, who, by the death of the queen of Scots, found all his ambition awakened, gladly embraced the opportunity now furnished him of establishing a right of superiority over the kingdom of Scotland; a project which he had certainly for some time entertained in his mind, though hitherto he had wished to acquire it rather by compact than claim; by the arts of policy and address, than by force of arms. It cannot, however, be denied, that he seemed resolved to carry his point at any rate; for, at the opening of the conferences for this arbitration, on the tenth of May, at Norham (a town seated on the northern extremities of the river Tweed, which there divides the two kingdoms), Robert de Brabanson, the king's justiciary, acquainted the claimants and the Scotch prelates and nobility there assembled (Edward himself being all the time present), "that the king had been at great pains to collect together proofs from all the ancient records and chronicles, by which it plainly appeared that the kings of Scotland had been dependent on the English monarchs from time immemorial, and accordingly had done them homage, except when they had taken advantage of the intestine commotions of the nation, or the reign of a weak prince, to withdraw their allegiance; and, therefore, that the king, previous to all further proceedings, insisted that his claim of superiority over the kingdom of Scotland should be admitted; in which case he promised, in his master's name, that the proceedings should be free and impartial*."

The

* As it passes for certain among several English historians, that Edward undeniably proved his right from ancient chronicles, we imagine the reader will not be displeased to be able to judge for himself, without being obliged to recur to the writers of both parties; for which reason we shall, in this note, give the proofs alleged by Edward, as they are found in a memorial drawn by that prince's order, of which Mr. Rapin has given us the following abstract.

PROOFS alledged by EDWARD I. to establish the Right of Sovereignty of the Kings of ENGLAND over SCOTLAND.

In the year 901, Edward the Elder, king of England, subjected to his dominions the kings of the Scots, Humbrins, and Welsh, as appears in the histories of Marianus Scotus, Roger de Hoveden, and William of Malmesbury.

In the year 921, the king of Scotland, Reginald king of the Danes, the English of Northumberland, the king of Wales and his subjects, chose Edward the Elder for their father and lord, and made a strict alliance with him. Marianus Scotus, Roger de Hoveden.

In the year 924, the same Edward reigned over all the inhabitants of Great Britain, English, Scots, Cumbrins, Danes, and Britons. Marianus Scotus, Roger de Hoveden.

In the year 926, king Athelstan, son of Edward, vanquished Constantine king of Scotland, together with the king of Wenti, and compelled them to fly. After the victory, they took an oath to him, and concluded an alliance with him at Emothe, July the 4th. Marianus Scotus, Roger de Hoveden.

We find in the Histories of William of Malmesbury, Henry of Huntingdon, and Ralph de Diceto, that Athelstan forced Constantine king of Scotland to quit his crown; and afterwards gave him leave to resume it, on condition he should hold it of the kings of England, saying, "It was more glorious to make kings, than to be one."

In 934, the same Athelstan vanquished Constantine, who had revolted, and ravaged Scotland as far as Dunfred. Constantine gave him his son in hostage, with great presents, and a peace was concluded between them. Marianus Scotus, Roger de Hoveden, Henry de Huntingdon, Ralph de Diceto.

In

The assembly were not a little surprized at this demand; but, encompassed as they were by a strong body of forces, which Edward had brought with him, under a shew of state and grandeur, they

In the year 937, Eugenius king of Cumberland and Constantine king of Scotland, met Athelstan, at Dacor, and submitted to his mercy. Athelstan commanding Constantine to cause his son to be baptized, stood godfather himself. William of Malmesbury.

In 940, Athelstan was succeeded by Edmund, who reigned four years, during which the Scots revolted not.

In 947, Edred, brother and successor of Edmund, having vanquished the Northumbrians, carried his arms into Scotland. The Scots, seized with fear, submitted without resistance, and swore the fealty that was due to him. Edred set over the Scots a king, called Yrc. Marianus Scotus, William of Malmesbury, Henry de Huntingdon.

In the year 955, Edwy was king of England after Edred, and reigned four years, without any revolt of the Scots.

In 997, Edgar king of England having summoned to his court Keneth king of Scotland, Malcolm of Cumberland, and six other kings, made them row in his barge, which he himself steered. He said upon that occasion, as it is affirmed, that his successors might now boast of being really kings of England, since they enjoyed so great a prerogative.

Another time, the same Edgar being informed, that Keneth had spoken ill of him, sent for him to his court, and walking with him into the fields, offered him the choice of two swords, to fight with him: Keneth refused it, and casting himself at Edgar's feet, begged his pardon, and obtained it. Marianus Scotus, Roger of Hoveden, William of Malmesbury, Henry of Huntingdon, Ralph de Diceto.

During the Reigns of Edward the Martyr, Ethelred II. and Edmund Ironside, the Scots did not revolt.

In 1017, Canute the Great, at his return from Rome, in the fifteenth year of his reign, subdued Scotland with ease, which had revolted, and king Malcolm was subject to him: Canute was king of England, Denmark, Norway, and Scotland. Marianus Scotus, William of Malmesbury, Henry of Huntingdon, Ralph de Diceto.

It does not appear that the Scots revolted during the reigns of Harold I. and Hardicanute.

In the reign of Edward the Confessor, Siward earl of Northumberland vanquished Macbeth king of Scotland, and slew him; after which, by the command of king Edward, he placed Malcolm, son of the king of Cumberland, on the throne of Scotland. Ibid.

There are likewise these words in the History of William of Malmesbury: "King Edward gave the kingdom of Scotland to Malcolm, son of the king of Cumberland, to hold it of the crown of England."

There is nothing concerning the Scots whilst Harold II. was on the throne of England.

William the Bastard, having marched into Scotland, in the sixth year of his reign, Malcolm met him at Aberneth, where he did him homage, or became his man. Chron. of St. Alban's.

In the same Chronicle it is said that William returned into England, after receiving the homage of Malcolm, and some hostages.

In the third year of William Rufus, Malcolm revolting, and ravaging Northumberland, William, accompanied by Robert his brother, led his army into Scotland, and made peace with Malcolm, on condition that Malcolm should obey him, as he obeyed William his father. Marianus Scotus, Roger de Hoveden.

Henry of Huntingdon says, Malcolm, seized with fear, became king William's man.

The same king dethroned David of Scotland, and placed Edgar, son of Malcolm, in his room.

Edgar king of Scotland dying, Alexander I. his brother, succeeded him by the consent of Henry I. king of England. Henry of Huntingdon.

Stephen king of England, having demanded homage of David king of Scotland, and upon his refusing it, because he had taken an oath to Matilda, Henry his son did homage to king Stephen. Marianus Scotus, Henry of Huntingdon, Roger de Hoveden.

William king of Scotland, David earl of Huntingdon his brother, the earls and barons of Scotland, did homage to Henry II. king of England, and swore fealty to him.

In the year 1174, William king of Scotland, ravaging England, was taken prisoner, and delivered to king Henry II. who set him at liberty, on condition he should do him homage for the kingdom of Scotland.

[As the treaty between these two kings has been spoken of elsewhere, it is needless to repeat it here. It suffices to say in a word, that William, to obtain his liberty, was forced to promise to do full homage to Henry II. for the

kingdom of Scotland, and performed his word. This is the best proof in favour of Edward, and accordingly he chiefly insists upon it in the memorial, entering into a long detail, which amounts to what is above related].

In the reign of Richard, the Scots were not found to revolt. On the contrary, William came to Canterbury, to do homage to Richard.

[Edward wisely passes over here in silence the letters patent of Richard I. whereby he relinquished the sovereignty of the kingdom of Scotland.]

The same William came and did homage to king John at Lincoln, and swore fealty to him upon the cross of Hubert, archbishop of Canterbury. Roger de Hoveden.

The same king John would have made war upon William, for having, without his consent, married his daughter to the earl of Boulogne. This is extant in the Chronicle of the Monastery of Bridlington. It is said also in the Chronicle of the Abbey of Kyngeswode, that William gave his two daughters in hostage to king John.

Henry III. in the thirty-fifth year of his reign, came to York, to marry his daughter to Alexander, king of Scotland, and the latter did there homage to the king of England. The guardianship of the young king, and the regency of the kingdom, were conferred on Robert de Ros and John Baliol, by the advice of the great men of both kingdoms. Chron. of St. Alban's.

To strengthen all these proofs, Edward heaped together some passages extracted from divers charters and several bulls, and from a book intitled the Life of St. John of Beverly.

In a charter of Edgar king of Scotland, granted to the church of Durham, that prince acknowledges he holds the land of Londoney, and the whole kingdom of Scotland, by the grant of William, king of England, his lord.

In another charter, William, king of Scotland, grants to king John of England, his dear lord, the power of marrying Alexander his son, prince of Scotland, to whom he pleased. Moreover, he promises king John, that, whatever happens, he, and prince Alexander his son, will be true to Henry, son of John, as their sovereign lord.

In a brief of Gregory IX. that pope ordered the barons of Scotland to join with the king of England against their own prince, in case he should break the treaty made with Henry II.

The same pope, in another brief, commanded the archbishop of York and the bishop of Carlisle to persuade the king of Scotland to keep the treaty.

In another, directed to the king of Scotland, the same pope told him, that since he was liege-man to the king of England, and had sworn fealty to him, he ought not to attempt any thing against him.

Pope Clement, writing to Henry, king of England, in behalf of the bishop of St. Andrew's, dispossessed of his see by the king of Scotland, requires him, among other things, to warn, exhort, and, if necessary, to force the prince, by the power committed unto him, to restore the bishop.

The proof taken from the Life of St. John of Beverly, the author whereof is unknown, consists of this narrative: King Athelstan carrying his arms into Scotland, meets by the way certain people, who were just cured of blindness and lameness by the intercession of St. John of Beverly: whereupon he resolves to go and perform his devotions in the church where the body of the saint lay. After saying his prayers, he left his dagger on the altar, as a pledge of what he had promised the saint, in case he succeeded in his undertaking. Then entering Scotland, St. John appears to him, and assures him of his assistance. Upon this assurance Athelstan attacks the Scots, and gains a signal victory. After that, he subdued the whole kingdom of Scotland, and stayed there three years. In his return to England a great rock stood in his way, and he besought God, through the mediation of St. John of Beverly, to give him some sign whereby the spectators might know the Scots were justly subdued by the English, and the conquered kingdom ought for ever to pay tribute to his successors; then drawing his sword, he struck the rock, which yielded like butter, and made a hole in it an ell deep. Whereupon the author adds, this is an evident sign Scotland was subjected to the English.

Edward produced some other testimonies, but without naming his authors, to show the lords of Galloway had done homage to the king of England.

In 1185, Roland, lord of Galloway submitted to the king of England, fearing, as it is presumed, says the author, the power of that monarch, who was advancing with a great army to make war upon him.

Henry

they durst not venture to declare their sentiments. They excused themselves, however, from giving any answer, as many of the prelates and nobility of Scotland were absent, whose advice, together with that of the whole community, was necessary in so important a point. Edward would not admit of this excuse; he ordered them to give an express answer the next day; but, after some entreaty, consented to allow them three weeks to give their answer; and safe-conducts were issued for all the Scotch nobility to repair in security to Norham, on the second day of June following.

On that day they assembled on a plain, in the parish of Upset-Linton, on the Scottish side of the Tweed, opposite to the castle of Norham, where the king had taken up his quarters. The bishop of Bath and Wells opened the assembly, by observing, in Edward's name, that, as they had not preferred any objection, during the three weeks allowed them to produce the same, the king was resolved to make use of his right of sovereignty, and thereupon to proceed on the merits of the several candidates. Then addressing himself to Robert Bruce, lord of Annandale, he asked him, "If he would demand, answer, and receive justice in his suit for the succession of the crown of Scotland from the king of England, as superior and direct lord of the kingdom of Scotland?" Robert, in the presence of all the Scotch nobility, acknowledged his right of superiority. And the like questions being put severally to Florence, count of Holland; John Hastings, lord of Abergavenny; Patrick Dunbar, earl of March; William Ross, Robert de Pinkeney, Nicholas de Soules, the claimants there present, and to the proxy of W. de Vesey, they all made the same declaration; as did also John de Baliol, lord of Galloway, and John Cummin, lord of Badenoch, who arrived there the next day; when the bishop of Bath convened them immediately to the church of Norham before the king, who then declared, by his chancellor, to the assembly, that, by acting as superior of Scotland, he did not mean to exclude himself from presenting any claim he might have to the crown of Scotland by hereditary right. At the same time he observed to them, that it would be in vain for him to pronounce sentence without having in his hands the means to enforce the observance of it; and, therefore, required that all the castles and strong holds in the kingdom of Scotland should be

put into his hands, engaging to deliver them back again to the person who should be found to have the best title to the crown. This proposal was agreed to, and an instrument being drawn up, acknowledging Edward's superiority as lord of Scotland, all the claimants before-mentioned put their seals to it, in presence of all the Scotch and English nobility there attending*.

The manner of proceeding on the trial was next to be adjusted, and it was agreed, by the common consent of all parties, that John Baliol and Cummin should, for themselves and such of the competitors as agreed with them, name forty persons; and Robert de Bruce should likewise, for himself and those that concurred with him, chuse forty more; and these, in conjunction with twenty-four others, appointed by the king, should have cognizance of the claims of the competitors: and, after a full and candid examination thereof, report them to Edward, who was thereupon to pronounce judgment.

Accordingly the commissioners were immediately chosen, and the second day of August fixed as the time for the meeting of the court, which was to be held in the town of Berwick. This being settled, the regents and governors of the castles resigned their commissions to Edward, who restored them again: the same day he made the bishop of Caithness chancellor of Scotland, and joined with him Walter de Hamondesham, an Englishman, and one of his clerks, as his colleague.

On the thirteenth of June, the competitors, and others that held offices under the crown of Scotland, came and swore fealty to Edward; after which the assembly broke up, but not till Edward had first given them to understand, "that, although he had granted that the affair of the succession of Scotland should be tried within the limits of the country, that precedent should not tie him up to any like observance for the future."

The day appointed being come, the examining commissioners met at Berwick, and the next day the competitors presented their several claims, being twelve in number, besides the king of Norway, who claimed the crown as heir to his daughter Margaret, the late queen of Scotland; but as the principal contest lay between Baliol and Bruce, we shall refer the reader to the note for the pretensions of the others†, and content ourselves with observing that

Baliol

Henry II. king of England, having received the homage of Alan of Galloway, and of David, brother of king William, returned into his dominions.

In the twenty-second year of Henry II. Gilbert, son of Fergus, lord of Galloway, came with the king of Scotland into England, where he became liege-man of Henry the father, and swore fealty to him. Which done, in order to gain his good-will, he gave him a thousand marks of silver and his son Duncan in hostage. Rapin, Hist. Eng. 8vo. edit. p. 261—266.

* The form of their recognition, was as follows:

To all who shall hear this present letter.

"We, Florence, earl of Holland, &c. &c. &c. greeting in the Lord. Whereas we intend to pursue our right to the kingdom of Scotland, and to declare, challenge, and aver the same before him that hath most power, jurisdiction, and reason to try it: and the noble prince Edward, by the grace of God, king of England, &c. having informed us, by good and sufficient reasons, that to him belongs the sovereign seignory of the same; we therefore promise that we will hold firm and stable his act; and that he shall enjoy the realm to whom it shall be adjudged before him. In witness whereof, we have set our seals to this writing, made and granted at Norham, the Tuesday after the Ascension, in the year of grace 1291.

* Florence, earl of Holland, pretended to the crown of Scotland in right of his great-grand-mother Ada, the eldest lawful sister of William, some time king; as did Robert de Pynkney, in right also of his grand-mother Margery, a second sister of the same king William. Patrick Gallightly was the son of Henry Gallightly, a bastard of king William; William de Ross, was descended of Isabel; Patrick, earl of March, of Ilda or Ada; and William de Vesey, of Margery; all the three daughters, though, unluckily for their offspring, only natural daughters of king William; yet their offspring did pretend. Roger de Mandeville did the like, and had much the same reason, being, as the former, descended of a bastard daughter (whose name was Aufric) of the same king William. Nicholas de Soules's right, if bastardy could give right, was nearer to the latest kings; for his grand-mother Margery, the wife of Alan de Huifer, was a natural daughter of Alexander II. and, by consequence, the sister of Alexander III.

John Cummin, lord of Badenoch, derived his title from a remote source; viz. from Donald Bane, who had usurped the crown about two hundred years before this time; but he was willing to resign his pretensions in favour of John Baliol: he might also have added, in favour of Robert Bruce and John Hastings; for, to say the truth, none but these three had colourable pretensions; nay, that of Hastings was scarcely such, when

Baliol pretended to the crown as grand-son of Margaret, the eldest daughter of David, earl of Huntingdon, brother to William, king of Scotland, whose posterity was extinct in the person of Margaret, the last queen of Scotland, daughter to Erckin, king of Norway.

Bruce alleged, that he was one degree nearer, as being the grand-son of David, by his second daughter; whereas his rival was only the great-grand-child: that Alexander II. had appointed him his successor, in the event of his dying without issue; and that Alexander III. had always considered and treated him as presumptive heir to the crown, a circumstance which he undertook to prove by the testimony of several living witnesses of undoubted veracity.

All the petitions being read, Edward, willing to give the commissioners time to examine them, appointed the second of June, of the ensuing year, 1292, for another assembly to be held, when the matter was to be brought to a final issue. This delay was chiefly owing to Edward's finding himself under a necessity of attending to some affairs that happened about this time in his own dominions.

Eleanor, the queen-mother, died this year, in the monastery of Ambresbury, where she had for some time worn the veil. Her body was, agreeable to her last request, buried in that place of her retirement, with great solemnity, the king in person attending the funeral, with all the prelates and nobility of the realm.

Gilbert, earl of Gloucester, having, in the course of this year, committed several depredations on the lands of Humphrey Bohun, earl of Hereford, the latter had complained thereof to the king, who had declared that he would himself take cognizance of the affair; and, in the mean time, forbade either party doing aught against the peace of the kingdom. Regardless of this prohibition, the earl of Gloucester had again invaded Hereford's estate in Brecknockshire, ravaging the country with great barbarity. Humphrey retaliated the insult, and a scene of bloodshed and desolation now distressed all that part of the country.

The king, apprised of these illegal proceedings, by the complaints of the sufferers, now summoned the two earls to attend him at Ambresbury, and answer for the violation of his commands, and of the public tranquillity. After a fair and impartial hearing before Edward himself, being found guilty, they were taken into custody, and their estates seized upon in the king's name. They were dismissed, however, upon giving bail for their appearance at Westminster-hall, on the seventh day of January following, 1292, when their sentence was confirmed, and the two earls committed to prison till ransomed at the king's pleasure. Hereford compounded for a thousand marks; but Gloucester, who had been the aggressor, was obliged to

give security for paying ten times that sum, before he could obtain his liberty.

Edward, having kept the festival of Easter at London, set out from thence, the beginning of April, 1292, on a progress through Suffolk, Norfolk, and several other counties; and, on the second day of June, arrived at Berwick, where the prelates and nobility of both kingdoms were assembled, with the commissioners appointed to examine the claims of the different pretenders to the Scottish throne.

At the opening of the session, ambassadors from the king of Norway demanded the crown for their master, as heir to his own daughter Margaret; and his claim was admitted among those of the other pretenders, after the ambassadors had, in the king's name, acknowledged Edward's right of sovereignty over the kingdom of Scotland.

As the examination of such a number of claims was attended with tedious disputes and disquisitions, which protracted the determination of the cause, the king proposed that they should begin with the pretensions of Baliol and Bruce, without prejudice to those of other claimants, which should be afterwards discussed; but warm debates arising among the commissioners about the laws and customs according to which the dispute should be determined, Edward adjourned the assembly to the fourteenth in October, then to be held at the same place, that, in the mean time, all parties might consider the case, and come prepared to give their final answer.

The assembly meeting on the day appointed, it was unanimously resolved, "I. That they ought to proceed by the laws and customs of both realms, under the government of the king of England, if these were so fixed and certain in the present case, as to enable them to form a judgment. II. That if they had no certain law to go by, the king, by the advice of his prelates and nobility, might and ought to make a new one. III. And lastly, That the right of succession to the kingdom in question was to be judged by the rules to be observed in the cases of counties, baronies, and other indivisible fiefs." This point discussed, the delegates retired to the church of the Dominican convent, to hear what Baliol and Bruce could urge in support of their claims, being attended thither by all the competitors.

After various altercations upon trifling points, Edward thought proper to bring the whole controversy between these two principal claimants, to one, and, indeed, the real, question, viz. "Whether the more remote by one degree of succession coming from the eldest sister, ought, according to the laws and customs of these kingdoms, to exclude the nearer by a degree coming from the second sister? or, Whether the nearer by one degree descending from the second sister, ought, by the laws and customs of these realms,

balanced with that of Bruce: both were the immediate sons of the immediate lawful daughters of earl David, the brother of Malcolm the Maiden, and of king William. But Ada, the mother of Hastings, was the younger sister, who must, therefore, yield to Isabel, the mother of Bruce; but then both Isabel and Ada were younger than Margaret, who was the grand-mother of John Baliol; and this last did most justly urge (and, had the succession been then regulated, as it is now, in all hereditary sovereignties, he had carried it without dispute) that, since he lineally descended of Margaret, the eldest daughter of earl David (with whom, had he been alive, none living could have contended), he was to be preferred to Robert Bruce and

John Hastings, although nearer by one degree to the same earl David.

These two, on the contrary, pleaded, that they were preferable not only to John Baliol, the grand-child of Margaret; but also to Dervegild, her daughter and his mother. The reason they gave was this: Dervegild and they were equally related to their grand-father earl David; she was, indeed, the daughter of his eldest daughter; but she was a woman; they were men, and, said they, the male in the same degree ought to succeed to sovereignties, by their own nature impartible, preferable to the female. *Abercomby's Hist. of Scot. vol. i. p. 463, 644.*

to exclude the more remote by a degree coming from the eldest sister?" To this the commissioners unanimously answered, "That, according to the laws and customs of both kingdoms, the descendant of the eldest was preferable to the other." Sentence was accordingly pronounced against Robert Bruce, on the sixth of November, and his petition was dismissed; but nothing else was done in favour of Baliol, till all the rest of the claimants should have been heard before the commissioners. Bruce submitted to this decision so far as to desire he might enter his claim upon another footing; and being allowed so to do, he joined with John Hastings, descended of his aunt Ada, in demanding a share of the kingdom, and of all the lands, liberties, and possessions (except the name and dignity of king) which belonged to the late king Alexander, at the time of his decease.

The reasons on which they founded this joint demand, were, "That, by the common law of England, all sisters were equally co-heiresses to their father, and succeeded to their several shares in his lands, liberties, and honours; which being held of the crown of England in capite, were divided among them; and the kingdom of Scotland being so held, was consequently divisible."

Robert Bruce, on this account, claiming to hold a share of the realm (which he had maintained before to be indivisible) of the king of England, Edward applied to the assembly, as before, for their advice in two points: "I. Whether the kingdom of Scotland was partible? II. If it were not, Whether the escheats, and acquired possessions belonging to it, were so?" After a little debate on the subject, it was unanimously agreed, "That the kingdom of Scotland was indivisible, and so were the escheats and acquisitions within the realm, that accrued to the crown, from the time they fell into the king's hands, and became annexed to his demesnes."

The issue of the cause was in a manner determined by these resolutions, and all the rest of the competitors withdrew their petitions: but, to allow every one time to consider the matter as full as possible the king put off the final decision till the seventeenth of November, when Baliol, Bruce, and Hastings appearing in court, a decree was pronounced against the two last as well as all the other claimants, and the whole kingdom of Scotland was adjudged to Baliol, pursuant to the resolutions above-mentioned*.

Orders were dispatched immediately to the guardians of the realm and the governors of castles, to put them into the hands of Baliol, who, being now put in possession of the kingdom, swore fealty to Edward on the Thursday following, at Norham, and then set out to take possession of his new dignity, and was, in the middle of December, crowned at Scone, with the usual formalities, and all the noblemen of Scotland swore allegiance to him, except Robert Bruce, who absented himself from this

ceremony; after which the new king repaired to Newcastle upon Tyne, where he again did homage to Edward for the kingdom of Scotland and all its appendages, in such terms as fully denoted his state of absolute dependence†.

This transaction had so much engrossed Edward's time, that he had very little leisure to attend the other affairs of government. He had, some time before made a declaration, that he would undertake a journey to the Holy Land; and the pope, on the presumption of his fulfilling his promise, had greatly assisted him in his demands upon the clergy: and now his holiness, supposing him at leisure, sent to press him to hasten his expedition, and enforce his grant of the tenths, both in Scotland and Ireland. Edward, however, found himself engaged in a troublesome affair with France, that would not permit him to gratify the pope in this particular for the present.

On account of some disputes at sea between the French and English traders, the ships of both countries had made petty reprisals upon each other, which at length became so serious that the Cinque Ports fitted out a large fleet, with which they took, burnt, and destroyed all the French vessels that came in their way, and even made several descents on the coast of France, where they committed great ravages, and carried off no small booty.

The French court, upon this, sent an embassy to the court of Edward, to demand satisfaction for these insults, threatening, in case of refusal, to make reprisals upon his territories in France. Edward, in return, sent the bishop of London as his envoy to king Philip, with orders to lay before him Edward's independency as sovereign of England, and that, as he held a court there, any one aggrieved by his subjects, might carry their complaints thither, and meet with redress, for which purpose the complainants might, upon demand, be furnished with letters of safe-conduct to and fro. The prelate was instructed, in case the king of France should object to this method of compromise, to propose a personal interview between the two monarchs; and should that alternative be rejected, he was to offer a submission of their differences to the arbitration of the college of cardinals, the see of Rome being then vacant. Philip, however, affected to treat all the proposals with contempt, and instantly issued forth an edict prohibiting all commerce with England. This was followed by a summons for the king of England to appear, and answer for his conduct, before the council of the king of France, as a vassal of that crown; with a certification, that, in case of non-appearance, his territories on the continent should be forthwith confiscated.

These proceedings gave Edward sufficiently to understand, that he was to hope for nothing through the means of negotiation, and that it behoved him to provide in time for the security of his lands, which lay at the mercy of a formidable

* The decree in favour of Baliol was conceived in the following terms:

"The king of England, as superior and direct lord of Scotland, adjudged, that the said John Baliol shall recover and have seisin of that kingdom, with all its appurtenances, according to the form of his petition, upon condition that he do rightly and justly govern the people subject to him, that none may have occasion to complain for want of justice; nor the king, as superior lord of the kingdom, upon the same suit of the parties, be hindered to interpose his authority and direction; a right which the king of England and his heirs always

reserved in such cases, when he would make use of it. Dated at Berwick, the ninth of November, 1292."

† The form of the homage was thus:

"Sire, my lord Edward, king of England, and sovereign lord of the kingdom of Scotland, I, John Baliol, king of Scotland, become your liegeman for the whole kingdom of Scotland, with its appurtenances, which kingdom I claim and hold, and ought of right to hold, for me and my heirs, kings of Scotland hereditary, of you and your heirs, kings of England, of life and limb and true honour, against all men that may live and die." Rymer's *Fœdera*, tome ii. p. 595.

enemy.

enemy. With this view he sent over one St. John, with powers to put every thing in a proper posture of defence in Gascony. This was a prudent and timely precaution; for the first news that St. John heard, upon his arrival in his new government, was that Raoul de Nesle, constable of France, was on his march, with a body of forces to reduce that province to the obedience of his master.

Such was the state of affairs on the continent in the beginning of the year 1293. We will now return to those which more immediately related to Edward and his new-acquired dominion of Scotland. That the people of this latter country might not be left in any kind of doubt concerning the absolute state of vassalage to which they were now fallen, Edward took occasion, before he left the North, to exercise his new right in the most extensive manner.

A burgher of Berwick complaining to him of an injury he had received, as he pretended, by some English commissioners sent into Scotland, Edward ordered the affair to be tried in England by his judges. The council of Scotland, looking upon this as a breach of promise in Edward, who had assured them, that any offences committed within their kingdom, should not be made cognizable in any court without it, they sent to remonstrate with him thereupon. This remonstrance was resented, as unreasonable, by Edward, who told them, "that, in this case, the affair must and should be tried in England, since it belonged not to vassals to punish the misdemeanors of those who represented the person of the sovereign." This answer alarmed the Scots; they now saw, though too late, their error in having invested Edward with such full powers: for, to say the truth, however unkindly he might act towards the Scots in this affair, he did nothing but what was strictly agreeable to the authority of a lord paramount.

If the Scots, however, were struck at this petty instance of their dependency, in the treatment of one of their private countrymen, they were much more so at finding their new king, a short time afterwards, obliged to appear in person before Edward, who summoned him to his Michaelmas-court at Westminster, to answer a complaint brought against him by the earl of Fife, for dispossessing him of certain lands, in which he had been invested by Edward's mandate to the late guardians*. Here Baliol was obliged to relinquish the seat of honour, due formerly to the kings of Scotland in English courts, and to plead his own cause at the bar, as a common defendant. This concession in their new monarch, rendered him so contemptible in the eyes of the Scottish nobility, that they chose for themselves a regency of twelve to manage the affairs of the kingdom; which when Baliol heard, it roused in him the small remains of an independent spirit, and resolving for once to act like a king, he left the court of England without taking leave; upon which Edward seized all his estates in England, which were the greatest of almost any subject then in this kingdom.

While Edward was thus lording it over Scotland, he found his own pride not a little mortified by the contemptuous manner in which the king of France affected to treat him on all occasions; but as the

state of his affairs would not permit him to enter upon a war, if it could possibly be avoided, he sent his brother Edmund, earl of Lancaster, to Paris, to try if he could by any means accommodate the difference in an amicable manner.

It was about March, 1294, when that prince arrived there; and he laboured so effectually, that at length a treaty of peace was brought to a conclusion, which was to be cemented by a marriage between Edward and Margaret of France, daughter of the late king Philip the Hardy. By the articles of this contract it was provided, "That, if there should be a son by this marriage, the prince was, after his father's death, to enjoy Guienne for himself and the heirs of his body; and if he should die without issue, whenever that should happen, the country should revert to the crown of England†."

As these articles could not be executed without investing Edward anew with that duchy for life, and for the uses specified after his decease, it was necessary that the French king should be put in possession of the whole province, in order to qualify him for bestowing that investiture. Accordingly, the marriage-contract being signed and ratified by Edward, and the king of France having promised, upon the word of a king, to observe all the stipulations, the earl of Lancaster, confiding in his faith, sent orders to the governors of Guienne to put him in possession of the whole duchy. After all the towns and fortresses had remained forty days in his custody, restitution was demanded, together with a safe-conduct for Edward, that he might go over and complete the marriage; but Philip refused both the one and the other; and as the king of England had not obeyed the former citation, he was pronounced contumacious, and judgment given against him by default: but whether, on second thoughts, this sentence was adjudged defective, as founded on a citation that had been annulled a few days after it had been given, another summons was issued, on the nineteenth of May, for Edward to appear at Paris in three weeks after the Christmas following.

This shameful breach of faith on the part of Philip, awakened the highest resentment among the English subjects, and they resolved to support their sovereign to the utmost; whereupon Edward, instead of obeying the summons of the French monarch, renounced the homage he had paid him, on the footing of former treaties, and resolved to recover by force the territories which Philip had so treacherously usurped. For the more easy accomplishment of this end, he engaged in alliances with Henry, count of Barre, and John, duke of Brabant; Amadeus, count of Savoy; Adolphus of Nassau, king of the Romans; the archbishop of Cologne, the counts of Guelderland and Catzenellenbogen, and some other noblemen of Burgundy, who promised to make a diversion in the provinces of France: Guy, count of Flanders, likewise undertook to invade the French dominions; and Edward himself began to prepare a fleet to transport his own army to the continent.

To defray the expences of this armament, an additional duty was laid upon all merchandize in England and Ireland: the prelates and clergy, in a

* This nobleman was under age, and as it was an office hereditary in his family to crown the kings of Scotland, Edward, as sovereign lord of that kingdom, had, at the corona-

tion of John Baliol at Scone, appointed a deputy to officiate for the minor.

† See Rymer's Collect. tome ii. p. 622.

convocation at Westminster, granted a moiety of all their revenues for one year: at the same time the parliament voted a subsidy, amounting to one tenth of all their effects: and the king himself issued commissions for levying one sixth part of moveables in all the cities, boroughs, and towns of his demesnes.

These preparations, however, were by sundry accidents rendered of no effect. John, duke of Brabant was killed by chance at a tournament; the noblemen of Burgundy were over-awed by Humbert, dauphin of the Viennois, who had entered into Philip's service; the German princes afforded no assistance, though they had drained Edward's purse of considerable sums; Guy, count of Flanders, was arrested at Paris, whither he had been summoned on an appeal to the parliament; some thousands of prisoners and banditti, who had been pardoned by Edward on condition of serving in this war, deserted before their embarkation; and his passage was delayed by contrary winds from Midsummer to the beginning of September, when his departure was again prevented by an insurrection in Wales.

The natives of that country, driven to despair by the heavy taxes imposed upon them, ran to arms, and seizing the collector, hanged him, with some of his followers; then they ravaged the country, massacring all the English who fell in their way. The insurgents were headed, in South Wales, by one Morgan; in West Wales, by Maelgeon Vaughan; and in North Wales by one Madoc, related to the late Llewellyn. Edward, upon the news of this revolt, dispatched the earls of Lancaster and Lincoln to reduce the rebels to obedience; but they and their forces, being too far engaged in that hilly and mountainous country, were attacked at a disadvantage by the Welsh, and defeated. Hereupon the king took the field in person, and, after several encounters with the enemy, in some of which he himself was in imminent danger, he obliged them to retreat into the heart of their country, and he passed his Christmas quietly at Aberconway.

In the beginning of the year 1295, he renewed the campaign, and with such success that he penetrated as far as Anglesey, which he once more reduced to his obedience; and, to bridle it, built the strong castle of Beaumauris. Madoc, after suffering a defeat as he was marching to Shrewsbury, submitted to Edward, and was sent prisoner to the Tower of London; Morgan was taken prisoner in Glamorganshire, and beheaded; and the rest of the Welsh, now deprived of their two principal leaders, laid down their arms, took the oath of allegiance, and delivered hostages for their fidelity. Edward, having thus happily finished this war, which seemed to threaten so much danger, returned in the latter end of July to London.

During these transactions, Baliol, who had withdrawn from the court of Edward full of resentment at the treatment he had received there, thought that the war between England and France, and the commotions in Wales, furnished him a fair opportunity of freeing himself from a yoke that was now become intolerable to him. With this view he had sent ambassadors to France, on pretence of renewing the ancient alliance between that kingdom and Scotland, but with private instructions to treat with Philip concerning a strict

union, by the marriage of his son Edward with a daughter of Charles of Valois, earl of Anjou, brother to that monarch. Philip readily closed in with the proposal, and a treaty of alliance was accordingly drawn up, and ratified by both parties.

In the mean time the war between France and England was carried on with various success. The English fleet sailed up the Garonne as far as Bourdeaux, and reduced the greatest part of the adjacent country. On the other hand, the French made themselves masters of St. Severe, a town on the river Adour, after a gallant defence made by Hugh de Vere, the English governor. But some amends were made for this loss by the success of John de St. John, who, about this time, cut in pieces seventeen hundred French. Pope Boniface, who had greatly at heart the engaging the powers of Europe in a crusade, interposed his mediation between the courts of France and England, and prevailed on them to consent to a truce for some time; which, however, appears to have been very ill observed.

How privately soever the negotiation between John Baliol and Philip of France had been carried on, Edward appears to have gotten intelligence of what was doing at Paris; and, to prevent the king of Scotland's designs, he sent deputies to make a formal demand that the castles of Berwick, Jedburgh, and Roxburgh should be put into his hands by way of security, during the continuance of the war with France. The Scots now foreseeing that they had no longer any safety but in sticking to their engagements with France, they applied to the pope to absolve them from their fealty to Edward; which the former, who was piqued against that prince, readily granted. Baliol and his council then issued a decree, banishing all Englishmen, not even excepting ecclesiastics, out of the kingdom, and confiscating all their goods, for the purpose of carrying on the intended war against their country.

Edward, who quickly had notice of these transactions, looked upon Baliol's revolt as giving him a plausible pretext for making himself master of Scotland, and accordingly he marched directly for that kingdom. On the first of March, 1296, we find him holding a parliament at Newcastle, to which Baliol was summoned; who, instead of complying therewith, sent the superior of the Cordeliers of Roxburgh, with a letter to deliver into Edward's own hand. In this letter he complained of the frequent injuries received from him, of the many summons upon very slight occasions; and in conclusion declared he would no longer remain in his fealty or homage.

Edward, however, was at this time in a very good condition for resisting any attempts of this new enemy, the truce he had lately made with France giving him leisure to turn all the great armaments he had made for his other wars, upon Scotland. And here we must observe, that, upon the first news of Baliol's intended revolt, Edward had found means to engage the Bruce family, and their adherents, in the English interest. The nobleman of that name, who was competitor for the Scottish crown, had died the year before, and was succeeded by his son, the earl of Carrick, who had lived in an intimate friendship with Edward, and had been the companion of his arms in Palestine: this nobleman and his son, afterwards the great Bruce, to-

gether with several other lords, their friends and relations, renewed their homage to Edward, and promised to assist him to the utmost; but in what? in the subjection of their own country!

Every thing being now ready for opening the campaign, Edward, in the middle of March, advanced at the head of a great army to Berwick, which he took by storm, on the thirtieth of the same month, with a great slaughter of the inhabitants, of whom it is said no less than seven thousand perished on this occasion.

After having made himself master of Berwick, and annexed that town to the realm of England, he detached the earl of Warrenne with a strong body of forces to besiege the castle of Dunbar, which had been delivered into the hands of Baliol by the countess of March, who, though her husband was in the service of England, was warmly attached to the interest of her country. Baliol, who was in the neighbourhood of this fort with an army of forty thousand men, resolved to hazard every thing to raise the siege, and accordingly drew near to give the earl of Warrenne battle; but the latter having notice of his intention, advanced to meet him, and the English charged with such irresistible fury, that the Scots were presently routed, and driven beyond the Forth, leaving all the southern part of the kingdom to the mercy of Edward's troops. This battle was a very bloody one, the Scots losing no less than ten thousand men. The castle now surrendered at discretion, and several prisoners of distinction were taken therein. The castles of Jedburgh and Roxburgh soon followed the example, and, laying down their arms, submitted to Edward, who, having by this time received a reinforcement of forty-five thousand men from Wales and Ireland, directed his march northward; and, after reducing the castles of Edinburgh and Stirling, penetrated unopposed as far as Perth. The unhappy Baliol finding himself unable to resist the progress of the English victor, resolved to make his submission, which he did by appearing before Edward mounted on a sorry steed, and holding a white rod in his hand, who received him with the greatest contempt. The next day his submission was drawn up in form, as also an instrument by which he resigned his kingdom to Edward, to be disposed of according to his pleasure. This instrument, of which the following is a copy, was signed by Baliol himself, together with the greatest part of the barons of Scotland, on the tenth day of July, 1296, at Brechin, a town on the river Esk, about forty miles from Edinburgh.

John, by the grace of God, king of Scotland, to all that shall hear or see these present letters, greeting.

“Whereas we, by evil and false counsel, and our own simplicity, having greatly provoked our lord Edward, by the grace of God, king of England, &c. to wit, for that being on his faith and homage, we have allied ourselves to the king of France, who then was, and is now, his enemy; offering a marriage between our son and the daughter of his brother the lord Charles, and assisting him, by war and otherwise, with all our power: and furthermore, by our evil counsel aforesaid, we defied our lord the king of England, and put ourselves out of his faith and homage, and sent our people into England, to burn, and spoil, plunder,

kill, and commit other mischiefs; fortifying the kingdom of Scotland, that is his fee, or feignory, against him, putting garrisons in the towns, castles, and other places: for which transgressions, our lord the king of England having entered into Scotland by force, conquered, and took it, notwithstanding all we could do against him, as of right he might, as lord of the fee, seeing, after we had done homage to him, we rebelled against him; we being therefore yet free, and in our power, do hereby surrender unto him the land of Scotland, and the whole nation, with all its homages. In witness whereof, we have caused to be made these our letters patents. Dated at Brechin, the tenth day of July, in the fourth year of our reign.”

Baliol, after having confirmed this his abject submission and resignation, was sent under a guard to England; and Edward, the better to secure his new acquisition, ordered the states of Scotland to assemble at Berwick, where all the principal noblemen and governors of castles swore fealty to him, and delivered up all their fortresses into his hands. The great-seal of Scotland was now broken, as being of no farther use, and another, with the English arms, was made, and delivered to the care of Walter de Agmondestham. The king at the same time appointed Hugh de Cressingham treasurer, W. de Ormesby justiciary, Henry Piercy warden of Galloway, and John, earl of Warrenne and Surry, guardian of the Scottish realm: and, that he might not leave this unfortunate people the least vestige of the liberty they had hitherto enjoyed, Edward ordered the crown and sceptre of Scotland, with all the rest of the regalia, to be carried into England; as also the famous marble stone at Scone, on which the inauguration of their kings was performed. This had always been adored by the vulgar as a most hallowed relic, and the loss of it by them considered as an indubitable proof of the utter extinction of their monarchy, agreeable to the supposed prophetic distich engraven upon it:

*Ni fallat fatum, Scoti, quocunque locatum,
Invenient lapidem, regnare tenentur ibidem.*

*Or fate's deceiv'd, and Heav'n decrees in vain,
Or where they find this stone, the Scots shall reign.*

This stone, which was inclosed in a wooden chair, had been placed at Scone by Kenneth II. as a monument of the victory which he obtained over the Picts near the monastery of that place. The vulgar believed it to be the same that served Jacob for a pillow. It had been brought out of Spain into Ireland by Simon Breccus; from Ireland into Argyle, and from thence to Scone, from which place Edward now caused it to be conveyed to Westminster, where it continues to this day, and is always used at the coronation of our kings. Edward having made all those regulations he thought necessary for the peace of the country, dismissed his forces and returned into the south of England, taking with him John Cummin, of Badenoch, and other noblemen, who had been made prisoners, and whom he thought proper to detain as such, at large, till the war with France was ended.

The king having been at a vast expence in the Scottish expedition, and having been also obliged to make very considerable remittances to his brother, the earl of Lancaster, who was taking care of Gascony, the royal coffers were almost exhausted;

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a parliament therefore was necessary for providing aids adequate to his exigences: and one being summoned to meet, on the twenty-third of November, at St. Edmundsbury, the lay nobility readily granted a twelfth of their yearly revenues, and the cities and boroughs an eighth of their personal estates. He expected a more considerable aid from the prelates and clergy, upon whom he now made a demand of one fifth of their revenues: but Edward soon found he had to do with a person of a deeper spirit than the rest of his brethren, in Robert de Winchelsey, archbishop of Canterbury. This prelate had applied to the see of Rome, and, under pretence that the church had been much impoverished, obtained a bull from pope Boniface, in the beginning of this year, forbidding all prelates and ecclesiastics to grant, as also all crowned heads or other temporal lords to take, any taxes from any of the clergy, without the consent of the papal see: this bull was now published by the archbishop of Canterbury, by way of reply to Edward's demand of a subsidy from the clergy. The king, equally incensed and astonished at this proceeding, adjourned the parliament till the fourteenth of January, that they might have time to deliberate upon his demand, and form their final resolution.

All this time the truce with France appears to have subsisted in name only; for we read of many incursions made by both sides upon each others territories. Edward's forces, under the command of the earls of Lancaster and Lincoln, had attempted the siege of Bourdeaux, but without success, being very ill supported from England, Edward having suffered his Scottish expedition to engross his whole thoughts, so as greatly to prejudice his affairs in the other seat of war. About this time, likewise, the English interest on the continent suffered a severe stroke by the loss of Edmund, earl of Lancaster, the king's brother, who died the fifth of June, at Bayntun, in Gascony, in the fifty-first year of his age. He was succeeded in command by the earl of Lincoln, who did all in his power to retrieve affairs, but with very little success, several towns in Gascony being taken by the earl of Artois, Philip's general in those parts.

Before we conclude the transactions of the year 1296, we shall take notice of two occurrences: the king's daughter Elizabeth was married to John, the young count of Holland, Zealand, and Friesland, and the nuptials were solemnized at Ipswich. Guy, count of Flanders, being released from his confinement in France, renewed his engagements with Edward, who agreed to supply him with a considerable subsidy, to enable him to levy a strong body of forces, with which he intended to invade the dominions of Philip.

On the fourteenth of January, 1297, the parliament met, in consequence of its prorogation, when the king hoped to find the clergy in a more compliant humour; but, to his no small vexation, they appeared rather more refractory, and that their example began to have an influence upon the laity. Having sent to the archbishop of Canterbury, to know his final resolution on the subject of the subsidy, that prelate returned for answer, in the name of his brethren, "that they had two superiors, namely, the pope and the king; and though they were bound to obey both, yet they owed the greater obedience to the successor of the holy apostle, St. Peter, as their spiritual lord and master."

Edward, highly enraged at this insolent declaration of the clergy, resolved that those who had thus disclaimed the royal authority, should no longer enjoy its countenance; and therefore instantly issued orders for seizing all the lay-fees possessed by the clergy, and that their persons should be deprived of the king's protection, at the same time forbidding his judges to redress them in the king's court for any injury they should receive; nevertheless that justice should be done to all persons who should demand it, on complaint against the clergy. The archbishop of Canterbury was treated with greater severity than the rest, Edward looking upon him as the spring of all the opposition he had met with.

So bold a step astonished the clergy, who had never experienced the like resolution in any king of England since the beginning of the monarchy; but Edward resolved to be king in his own dominions without any competition, and looked upon the power of the pope as an impudent usurpation, to be endured by none but weak princes. This severity had so good an effect, that the archbishop of York and his clergy complied with the king's demand, and received a separate protection under the great-seal. Winchelsey, however, grew more obstinate from persecution; he ordered the pope's bull to be published in all the churches of his province, and convened a synod of his suffragans at St. Paul's, in London; but Edward issued a writ, inhibiting them from passing any constitution to the prejudice of the king, his ministers, or liege subjects, as also to publish the sentence of excommunication against any person, on pain of imprisonment; and John de Angoulesme, archdeacon of Bath, appealed in the king's name to the pope against their proceedings: an expedient which effectually suspended their operations.

Finding themselves thus cut off from all remedy but that which they might expect from Rome; and seeing all their goods confiscated in a solemn manner by a parliament, or convention of the nobility, held on the twenty-fifth of February, at Salisbury, they were obliged to sue for protection, which they did not obtain without large fines, upon the payment of which they were restored to the possession of their effects and the benefit of the laws.

In this parliament at Salisbury the king laid before the assembly the engagements he had entered into with the earl of Flanders, and other foreign potentates, for the better opposing the progress of the French arms, and the recovery of those territories which were the ancient patrimony of his family; at the same time he gave them to understand, that he should expect the personal service of those bounden thereto by their tenures; and that his project was to make a powerful diversion in Guienne, by a numerous army, while he himself should in person press the enemy on the side of Flanders. This proposal was by no means relished by the nobles; they had no notion of serving but where the king commanded in person, and therefore made many objections to the Gascony expedition. Edward, however, stuck to the height of his prerogative, and told those who made the objection, that if they refused to go, he would give their lands to those who would. These measures raised great commotions among the nobles; and Humphrey de Bohun, earl of Hereford, and

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Hugh Bigod, earl of Norfolk, the first high-constable and the other earl-marshal of England, insisted upon the nature of their services, which required them to attend where the king commanded in person; thither, they said, they were ready to follow him, be it to any part of the world; but that they would not stir out of the kingdom otherwise. The king, in a transport of rage, told the earl-marshal, who was the most forward of the two, that he would force him to go with the others; upon which the earl replied, rather too haughtily, "I am not obliged to it, neither will I go over without you." "By God, sir earl (replied Edward, in a violent passion), you shall either go, or hang." "By the same oath, sir king (rejoins the earl), I will neither go nor hang." This indecent altercation on both sides obliged the assembly to break off their deliberations for that day.

The two earls immediately retired from court, and began to form an association: their place of meeting was in the forest of Wyre, on the Welsh Marches; there they determined to oppose the exactions upon leather, wool, and provisions, and other imposts, that had been arbitrarily laid by the government: on the second article, in particular, the duty had been raised from twenty to forty shillings per sack. Edward was not ignorant of their proceedings, but he was wise enough to stifle his resentment for the present, and applied his whole study to prepare for his expedition into Flanders; for the state of his affairs upon the continent, and the alliances he had formed, were now such, that he must either fulfil his engagements forthwith, or forever forfeit his credit there. He therefore directed writs for a general array of all the military force in England; and on the eighth of July the chief of the military tenants met, to concert the necessary dispositions for the campaign; but when he came to confer with them, he soon found that the nation in general were displeased with his measures: this made him sensible he was to have recourse to mildness and fair promises, otherwise he might meet with an opposition that might make him lose the opportunity of being revenged on Philip, which he had greatly at heart.

Nevertheless, not to suffer his authority to be trampled upon with impunity, he displaced the earls of Hereford and Norfolk, and appointed others to officiate in their room; but at the same time he was publicly reconciled to the archbishop of Canterbury, and promised to be a loving king and parent to the clergy. He also published a manifesto, to justify his conduct, and shew his reasons for turning out the constable and earl-marshal; as also to contradict some false insinuations which had been spread to his disadvantage among the people: he expressed "great sorrow for having put his subjects to such extraordinary expences for the maintenance of his wars; but that it had been done with no other view but the more effectually to quell the efforts of those, who laboured for the destruction of him and his people; and that, if he had taken part of his subjects fortunes, it was that they might possess the residue in tranquility."

Hoping, by these promises and concessions, to leave all parties in good temper, he now proceeded to the last act of government previous to his departure: this was, to settle the regency during his absence, which he committed to prince Edward, his son, appointing the following persons his go-

vernors, or counsellors; Richard, bishop of London, William Beauchamp, earl of Warwick, and Reginald de Grey, John Giffard, and Alan Ploket, knights; John Langton being at the same time appointed chancellor.

Edward then hastened to Winchelsea, from which place he intended to embark for Flanders; but, whilst he was thus intent upon his voyage, he received a kind of petition and remonstrance, signed by the bishops, earls, barons, and commons of the realm, containing a list of the grievances of the nation, and complaining of several violations of the Great Charter.

Edward had seen, in his father's life-time, frequent instances of the resolution of the barons. He knew too well how firmly they could unite in the defence of their privileges, to hazard his reputation and quiet by entering into a quarrel with them; he therefore mildly answered those who delivered this paper, "that they might depend upon his honour, that he would redress, at his return, all the abuses complained of; adding, that he hoped those nobles who had declined attending him in person, would do no prejudice to his crown or kingdom during his absence; and that they would receive him peaceably, if, by the protection of Heaven, he should again return to his kingdom."

He then went on board, about the twenty-fourth of August, with an army of fifteen hundred horse and fifty thousand foot, among whom were many Scots and Welsh; with which he landed safely at Sluys, in Flanders: but his delay had well nigh proved fatal to the earl of that county, his ally, whose dominions were almost over-run by the French; and the king of the Romans, on whose assistance Edward chiefly relied, found himself so embarrassed with the pope and the princes of Germany, that he could not furnish his quota of men or money.

From Sluys he proceeded to Bruges, where he found the inhabitants so entirely in the French interest, that he was obliged to march directly for Ghent. Here the ruined affairs of his allies obliged him to remain inactive during the winter, save that his troops plundered some part of the country round, and took the town of Dam. The inhabitants of Ghent, like those of Bruges, shewed a fixed aversion to Edward and his government; they seized every opportunity to harass his people, and even offered repeated insults to the king of England's person: twice they shut their gates upon him, cut off a great number of his men, and it was not till he had set fire to the gates of the city that he could gain re-admittance. This disagreeable situation, and the inability of his allies to fulfil their engagements, made the king to think seriously of peace, or at least of a long truce; accordingly he made use of the mediation of one William Hotton, archbishop-elect of Dublin, who, being well acquainted with the king of France, under pretence of going about his own affairs, obtained letters of safe-conduct from Philip (who was also weary of the war) to come and treat with himself and his council; and the bishop so well managed the affair, that he brought Philip to appoint certain commissioners, who, with others sent from the king of England, were to hold conferences at Tournay; when, after various negotiations, a truce was agreed upon for two years, and the terms of a general peace were referred to the judgment

judgment of the pope, to whose decision (though not as pope, both princes disclaiming any superiority of the see of Rome in civil affairs, but) as a private person, the two contending powers agreed to submit. The conclusion of this treaty left Edward at liberty to return to England, where his presence was become particularly necessary to reduce and humble the Scots, who, during his absence, had taken arms under William Wallace, a man of a mean family, and still meaner fortune, but of undaunted courage and invincible resolution, and whose darling passion was the love of his country. Before we proceed to give an account of the actions of this man and his followers, it will be necessary to conclude the state of affairs in England for the year 1297.

Edward was scarcely embarked for the continent, when the earls of Hereford and Norfolk, came to the bar of the Exchequer, attended by several of their followers, among whom were many of the principal citizens of London, and forbade the king's officers to issue any writs to the sheriffs for collecting the eighth penny of the laity, it being, as they pretended, an unlawful tax, as having been granted without their knowledge, or concurrence*. The government was in no condition to oppose the efforts of the confederate barons, and therefore it was thought most prudent to proceed very gently with the discontented: accordingly prince Edward, with the advice of his council, summoned a parliament to meet at London, on the twelfth of November, 1297, for adjusting matters between all parties.

The constable and earl-marshal appeared at the time and place appointed, with an armed body of five hundred horse and a great number of infantry, and insisted, as a preliminary to proceeding on the business of the sessions, that the Great Charter should be confirmed, with some additional privileges, which they said was the only basis of a good understanding between the king and people. In short, the two charters were sent over to Edward at Ghent, who confirmed the same by an authentic act, signed with his own hand, and sealed with the great-seal, which he carried with him. These being returned over to England, the business of the parliament went on, and the famous statute "De tallagio non concedendo," was made, and in like manner confirmed by the king, who, with the archbishops, bishops, &c. signed and sealed it, and, at the same time, took a voluntary oath for the more firm observation of it. The form of this statute, so important to the English liberties, will be found under the head of Laws respecting this king's reign; we shall therefore close the English transactions of this year, with observing that the nation in general were so pleased with their sovereign's concessions, that the laity granted an eighth part of their goods, and the clergy a tenth, including the wool, which had been exacted of them as part of the same. Let us now turn our eyes towards Scotland, which will be the chief subject of the remaining part of this reign.

Though Edward had made a conquest of that country, yet had he not been able to subdue the hearts of the inhabitants, who bore with impatience a yoke that had been imposed upon them by force. Their discontent was not a little heightened by the oppressive behaviour of those to whom Edward

had committed the rule of affairs in Scotland. The only minister he had in those parts with any portion of virtue about him, was Warrenne, earl of Surry; and he, unable to bear the severity of the climate, had retired to the North of England. William de Ormesby, the justiciary, and Cressingham, the treasurer, who governed in his absence, having banished several persons out of that kingdom, because they refused to swear fealty and do homage to Edward, had, by this rigorous and impolitic severity, rendered themselves so odious and unpopular, that a party of Scots, headed by William Wallace, mentioned above, and who was himself one of the proscribed, attempted to surprize the English governors at Scone, the place where they commonly resided; happy for them they found means to escape with their lives, but their effects were all seized; and the insurgents being soon after strengthened by a body of troops under sir William Douglas, began to grow formidable to the government.

Advice being sent to Edward of these commotions, he sent over an order to the earl of Surry to put himself at the head of the northern militia, and to reduce those outlaws: but the earl's bad state of health not permitting him to obey this mandate, he sent his grand-son, Henry Piercy, and Robert de Clifford, before him, with three hundred horse and near forty thousand foot, raised in Lancashire, Cumberland, and Westmoreland, who entered Annandale, surprized the Scotch forces at Irwine, unequal in number, and distracted in their councils. Lundy, one of the bravest of their associates, observing this disorder among them, went over to the English, rather than hazard his life and fortune by continuing in an opposition conducted with so much irresolution: upon which the rest thought fit to capitulate, on condition of being secure in their lives, limbs, and estates. Wallace, however, returning before the capitulation, with a chosen body of men, who bound themselves by an oath not to lay down their arms till the liberty and independence of their country were secured, went and took post on an hill above the monastery of Gambus Kenneth in the neighbourhood of Stirling, from whence he sent a defiance to the English generals.

The earl of Surry had by this time advanced, at the head of the Yorkshire militia, into Scotland, thinking that his presence alone would have been sufficient to reduce this outlaw to obedience; but he soon perceived himself unable to drive him from his post, and the winter-season advancing apace, he was obliged to return southward for the present. But Wallace, who was patient of hunger, heat, and cold, to a miracle, and who was to be deterred from his pursuits by no toils however severe, no dangers however great, still kept the field, and fell on the estates of those who had submitted to the English. The generous resolution which Wallace had shewn, in defence of the liberty of his country, had increased the number of his friends so much, that they now voted and declared him guardian of the kingdom, during the absence of their king Baliol, then a prisoner in England; and he now over-ran the whole nation with a rapidity hardly credible.

At length the earl of Surry, being joined by the forces under the command of young Piercy and

* Sine quorum assensu tallagium non debet exigi vel imponi. Matt. Westm. p. 431.

Robert Clifford, resolved to make a general effort to quell the insurgents. With this view he re-entered Scotland, and advanced as far as Stirling, where he saw the Scots encamped on the opposite bank of the river Forth. A council of war was then called by the English general, in order to concert measures for attacking the enemy to the greatest advantage. Here Richard Lundy, standing forth, represented the danger of attempting to pass the bridge which lay over the Forth, and was so narrow as to admit only two men a-breast; and desired a party of five hundred horse, with a competent body of foot, might be put under his command, undertaking with these to pass the river at a ford, and to fall on the enemy in the rear, which would so divert their attention as to afford the English time to pass the bridge unmolested. This prudent advice, however, was rejected, at the instance of Hugh Cressingham, the treasurer, who, exclaiming against all delays, as expensive and dishonourable to the king, so piqued the earl of Surry, who thought himself reflected upon, as if he meant to protract the war, that in a heat, he ordered the army to pass the bridge immediately.

Wallace, who narrowly watched all the motions of the English, could hardly believe his eyes when he saw them preparing to cross the river; he suffered as many of them to pass as he was confident he could give a good account of, and then encompassing them on all sides, he gave the charge with such irresistible fury, that they were all cut to pieces, or driven into the river. Hugh de Cressingham, and above five thousand English, perished in the action; and the earl of Surry retired, with the rest of his army, to Berwick. Thither he was followed by the indefatigable Wallace, and his colleague Andrew Murray, at whose appearance the earl abandoned the place, which they entered in triumph: but not being able to reduce the castle, the Scots marched to Carlisle; and, after a vain attempt upon that fortress, ravaged the open country of Northumberland and Cumberland for twenty-eight days together, and then returned back, laden with an immense booty, which dispelled the fearful prospect of famine, which now threatened the country of Scotland, from the almost total neglect of agriculture. Thus ended this remarkable transaction in Scotland, in this year, 1297.

We left Edward preparing, with impatience for his return to England; but finding it impossible to get over so soon as he wished, and being desirous to conciliate the affections of all his subjects, that they might the more heartily join with him in his meditated expedition against the restless Scot, he sent orders to his son to call a parliament at York, in the middle of January, 1298, in which he commanded that the Great Charter, and the additional statutes in favour of public liberty should be read, and published, for the satisfaction of the common people. This was accordingly done with great formality; and the bishop of Carlisle solemnly denounced sentence of excommunication against all violators of the said charters.

This act had all the salutary effects that Edward expected from it: the whole kingdom now seemed but one hand, and one soul; and those directed for the support of their sovereign's dignity and authority. The late defeat at Stirling, and the rapid progress of Wallace, had so intimidated the

inhabitants of the northern counties, that there was a necessity of sending thither a strong reinforcement. Accordingly a general rendezvous of the English was ordered for the middle of February, at Newcastle upon Tyne, when there appeared upon the muster-rolls upwards of one hundred thousand infantry, besides two thousand horse, all completely armed for service. At length the king himself arrived in England (at Sandwich), on the fourteenth of March, 1298, and proceeded directly to London, where he restored the citizens to the right of choosing their own mayor. He then issued commissions to two knights in each county in England, to enquire into the grievances of the people; and ordered a parliament to meet at Carlisle, where the Scottish nobility were summoned to attend, on pain of incurring the penalties of high-treason: but as they neither appeared in person, nor sent an apology, he resolved to reduce them by force of arms, and accordingly set out for Berwick, and put himself at the head of his army, which, including the troops he had brought back with him from the continent, amounted to three thousand five hundred men at arms, four thousand light horse, and about ninety thousand infantry: and hearing that Wallace, in conjunction with James Stuart and John Cummin, had collected an army of five thousand men, and were encamped near Falkirk, he resolved to march against them without delay, fully bent to abolish for ever the Scottish name and nation.

Dissension and envy had now insinuated themselves among that unhappy people. The noblemen of the royal blood instead of looking upon the patriotic virtues of Wallace with admiration, and joining in a glorious emulation for the service of their country, cast the basest reflections upon his merit, and many of them charged him with having a design upon the crown. In this belief they chose rather that their country should groan under perpetual bondage, than see themselves reduced to do homage to one of so inferior a birth. The Cummins, the Stuarts, and the Bruces were all the secret or professed enemies of Wallace; and the latter suffered his resentment to prevail so far over his duty, that he deserted the cause of his country and joined the king of England, with all his followers. Cummin, indeed, was less precipitate; he coolly waited for a favourable opportunity of being more completely perfidious.

On the twenty-first of July, 1298, both armies were in sight of each other: when the English approached, they saw the Scots drawn up in a soldier-like manner, and prepared to give them a warm reception. The Scots were drawn up on the side of a rising ground, in four circular bodies, the circumference of each formed by pike-men; the intervals between them filled up by archers; their front secured by pallisades, stuck in the ground, and tied together with ropes; and their rear by the cavalry: a disposition that rendered them incapable of making, however it might enable them to receive, an attack.

Edward made his men lie on their arms that night; and early the next morning, having reconnoitered the enemy's position, ordered the charge to be sounded, which was answered by so terrible a shout from the Scottish camp, that the king's horse, frightened at the noise, threw him off with such violence as to break two of his ribs. This accident, however, appeared not to have the least effect

effect upon Edward's vivacity: his thirst for glory and revenge blunted every bodily feeling, and, remounting his steed with his accustomed agility, he gave orders to the Welsh to begin the attack; but they, through treachery or cowardice, declining it, he put himself at the head of an English battalion; and the palliades in the enemy's front being plucked up, he attacked them with terrible fury.

Wallace, who fought that day on foot, had but just time to animate his men with this Laconic speech: "Now, sirs, I ha' brought you to the king, run if you dare." But his own courage or that of his few faithful followers availed little against the impetuosity of the English, and the treachery of his own countrymen; for in the heat of the battle, the division commanded by Cummin quitted the field; while that commanded by sir John Stuart (brother of the high-steward of Scotland) being left exposed, was surrounded and cut in pieces to a man. Wallace, who ever met distress without dependency, still continued fighting, and, by his resolution, kept a large party together, till, by the favour of the night, he found an opportunity to make good his retreat to his well-known fastnesses: though he could not effect this so privately, but that the earl Carrick (Bruce), who fought that day in the English army, suspected his design, and followed him close with a body of chosen troops; but being stopped by a river, which the Scots had just passed, he sent to desire that he would come and speak to him on the opposite bank. Wallace consented to it; Bruce, elevating his voice addressed him to this purpose: "I am surprised (said he) sir William, that you should entertain thoughts, as it is believed you do, of attaining to the crown of Scotland; and that with this chimerical view you should expose yourself to so many dangers. It is not easy, you find, to resist the king of England; he is one of the greatest princes of the world; and were it otherwise, do you think that the Scots would suffer you to be their king?" The guardian did not allow him to say more. "No, (replied he) sir earl, my thoughts never yet soared so high, nor do I intend to usurp the crown. I well know my birth has given me no title to, and my services cannot merit it. I only mean to deliver my country from slavery and oppression, and to defend a just cause, which you have abandoned: you, my lord, whose right may entitle you to be king, you ought to protect the kingdom. It is because you do not, that I must, and will while I breathe endeavour the defence of that country I was born to serve; and, if Providence will have it so, to die for. As for you, whose choice it is rather to live a slave, if with safety of your life and fortune, than free, if with the hazard of losing the last, you may continue in the enjoyment of what you so much value, your large estate: though, had you but heart to claim the crown, you might win it with glory, and wear it with justice. I can do neither: but what I can, I will; live and die a free-born subject." This conversation is thought to have left an indelible impression upon the mind of the aspiring earl; but the circumstance of the time and place obliged them both to break it off: Bruce returned to the victorious Edward; and Wallace continued to bring off his men*.

It is difficult, among the disagreeing relations of this battle, to say how many Scots were killed: some of our historians†, who delight in the mar-

vellous, tell us that the Scots lost in this action fifty thousand men; whilst the loss of the English did not exceed thirty common soldiers: at this rate every Englishman must have killed between sixteen and seventeen hundred Scots. Now can it be believed that one man, in the space of a few hours (for we can hardly suppose the battle to have lasted longer) could kill so many, even were the others to expose their naked breasts to his spear or arrows, these being the only weapons then in use, for fire arms were not yet invented, so that whole ranks could not be mowed down with the discharge of a cannon, as sometimes happens in the modern method of fighting. Our late historians‡, indeed, sensible of the great improbability of such a disproportion in point of number, have reduced the loss of the Scots to twelve thousand, and increased the English to one hundred: but even this account will hardly be believed by any but those who are possessed of a large share of credulity. Here we must beg leave to observe, that the loss of the conquered is always exaggerated; that of the conqueror is seldom mentioned, or, for the most part, diminished; therefore think it necessary to put the reader upon his guard against all such attempts to excite his wonder and admiration, at the expence of truth and probability.

But whatever might have been the real loss on either side, thus much is certain, that this victory put an end to the views of Wallace for the deliverance of his country; and he now laid aside all thoughts of maintaining the invidious post to which he had been raised; and after burning the town of Stirling, he retired, with the forces under his command, beyond the Forth to the town of Perth, where he resigned his guardianship, and ever after acted only as a private person. He was succeeded by Cummin: but this office was of little consequence, since it gave its new possessor authority only over a small part of the kingdom, and a few scattered troops escaped from the last battle.

Edward, after this victory, intended to march farther into Scotland, but was forced to alter his resolution, because the country, being utterly wasted, and his fleet not arriving with provisions as he expected, a great scarcity was thereby occasioned in his camp. He returned, therefore, through the forest of Selkirk, towards England, taking by the way the castles of Ayr and Lockmaben, in Annandale; and from thence came to Carlisle, and afterwards to Durham, where he held a great council in the beginning of September, and bestowed on several great men of England and Scotland the estates of such Scotch noblemen who had joined the revolt. From thence he removed to Tinmouth, and then to Gottingham, near Beverly, in Yorkshire, where he kept his Christmas. In his return homewards he was delivered from one of the severest checks his ambitious mind had ever known, by the death of Humphrey de Bohun, earl of Hereford, a staunch protector of the rights and liberties of the subject; so that in him England lost one of her best friends. Soon after Christmas, Edward set out to meet his parliament, which had been summoned to sit at London the following spring.

On the first Sunday in Lent, 1299, this parliament met; and as the late treaty negotiated by the pope, between Philip and Edward, had never

* See Abercrombie's Hist. of Scotl. p. 540.

† Particularly Carte, vol. ii. p. 841, 854.

‡ Smollett, Guthrie, &c.

yet been ratified by the assembly, the king now took an opportunity of laying it before the members. It was drawn up in form of an award by pope Boniface, who, in the preamble, declares, "That the kings of England and France had, by their ambassadors and procurators, compromised unto him, Benedict Casilan, as a private person, and not as a pope, to be an amicable composer and arbitrator of all controversies, differences, and causes whatever, moved between them; he did therefore award and pronounce,

"That there should be a firm and stable peace between the two kings. That the king of England should marry Margaret, the king of France's sister, who was to give her in dowry fifteen thousand livres Tournois (or about three thousand seven hundred and fifty pounds sterling) per annum. That Isabella, the daughter of the king of France, not then seven years old, should, in convenient time, be married to Edward, the king of England's son, who was then thirteen years of age, with the dower of eighteen thousand livres Tournois per annum. The depredations committed before the commencement of the war, were ordered to be repaired on both sides; and all the places which Edward and Philip possessed in each other's dominions, were to be sequestered into the hands of the pope, until the difference between them and their respective allies, who were comprehended by him in the treaty, should be finally accommodated." This sentence, or award, is dated at the pope's palace in Rome, on the twentieth of June, 1298†.

These articles, though very far from being either honourable or advantageous to Edward, were agreed to by the parliament; which, in return, demanded a confirmation of the Great Charter and the Charter of Forests: accordingly the king confirmed the former, but refused to ratify the latter without a clause being inserted, "saving all the rights of the crown." The assembly, apprehensive that these rights might be stretched to an unconstitutional prerogative, would not consent to the salvo, and the king continuing obstinate, the parliament broke up in discontent.

About the latter end of March two friars arrived from France, charged with a commission to demand,

in Philip's name, the release of John Baliol (who had, ever since his resignation, been kept a prisoner in the Tower), as an ally of the king of France, and by that monarch considered as virtually included in the late treaty. Edward, for some time, disputed this, alleging that Baliol was his vassal, and, consequently, could not be considered as one of Philip's allies: but Baliol himself, who, during his captivity, had sunk almost below contempt, cut short the altercation by declaring, in an instrument under his hand, that he for ever gave up all property or title he might have to the crown of Scotland; having, during his filling the throne of that kingdom, found so much fraud and treachery in the people, that he desired not to have the least concern with them for the future. Upon this the matter was referred to the arbitration of the pope; and, on the twentieth of July, the unhappy Baliol was formally delivered into the hands of the bishop of Vicenza, the pope's agent, at Whitland, near Calais; but at the same time a declaration in writing, and signed by Edward, was given to the prelate, in which the king of England declared, that his holiness might direct and act what he pleased with regard to Baliol's person and English estate; but with a salvo to all the rights which Edward and his heirs might have to the kingdom of Scotland.

Sometime before, Edward had received the mortifying news of that people being again in arms, and of their driving out of Scotland all the English excepting those who held the castles of Berwick and Roxburgh. Scarce were the first transports of his fury at this intelligence subsided, when, to increase his vexation, pope Boniface sent him a monitory brief, or bull, against his renewing his war with Scotland. This bull contained a great number of objections against Edward's right of sovereignty to that kingdom; upbraided him with the cruelties and depredations he had committed in that wretched country, and particularly with having imprisoned several bishops, who were still in custody: in fine, his holiness made himself judge of the controversy between the English and Scots, and ordered the king to send ambassadors to Rome, with all necessary instructions, within six months at farthest; after which he would pronounce a final sentence*.

Edward

† Rymer's *Fœdera*, tome ii. p. 845, 845,

* As this bull, which is in itself very curious, and may be considered as the answer of the Scots to the proofs alleged by Edward to establish his sovereignty over that kingdom, I shall give the substance of it, as it is found in Mr. Rymer's *Collections*, tome ii. p. 859, &c.

The pope tells king Edward, "That the kingdom of Scotland never was, nor is, a fee of England; that this both himself and Henry III. had owned; his father, because, by his letters patent, he testified that he had received auxiliary troops from his son-in-law, Alexander III. king of Scotland, not as an assistance any way due to him, but as a special favour himself, because when he had entreated the same king Alexander to be present at his coronation, he declared also, by his letters, that he asked it as a special favour, to which king Alexander was no ways obliged: that when the king of the Scots did the usual homage to him for his English possessions of Tyndale and Penrith, he publicly protested, that as king of Scotland he was independent, and that he held his crown of God alone; to which king Edward himself did agree: that when king Alexander died, leaving a grand-child only behind him, as heirs of the crown, king Edward did solicit a marriage between her and his own son prince Edward, by all methods imaginable; whereas, had he been liege lord of Scotland, he had the wardship of the young lady, and might have given her in marriage to whom he pleased; but that, on the contrary, there were guardians of the kingdom at that time, though not

appointed, yet owned, by him: that with these guardians the nobility of Scotland had chosen, he had treated concerning the marriage: that, by the contract agreed to, it was expressly provided, that if there happened to be no children of that marriage, the kingdom of Scotland should return to the next heirs, free and independent, as it had ever been; and that if children were procreated, yet that Scotland should remain separate and distinct from England, should retain the name and dignity of a kingdom as before, and be governed by its own laws, have its own officers of state, have its independent and free parliament; and that no causes concerning Scottish affairs should be decided but within the bounds of Scotland, nor none of its inhabitants be obliged to go elsewhere for judgment: that the queen of Scots being dead, and the controversy arising among the nobility about the succession, the greatest part were willing that the king of England should be arbitrator; and accordingly invited to the borders, whither he came with an army to support his faction; but that they would not go over the limits of their own country, nor appear in his presence, till he first assured them, by his letters patents, that they were not required to do the same, as being a duty, but out of a special favour; and that the liberties of the kingdom should suffer no prejudice thereby, nor should their compliance be a precedent for after times: that, notwithstanding these securities, some innovations had afterwards been made and assented to by one, in whose favour he had pronounced an unjust sentence: yet all those things were extorted by violence and fear, which may befall

Edward was equally surprized and enraged at this haughty address of the pontiff, whom, nevertheless, he was afraid to disoblige, as the duchy of Guienne was, by the late treaty, sequestered into his holiness's hands. In this uneasy situation he thought it most prudent to take the advice of his parliament, which was accordingly summoned to meet fifteen days after Easter; where, that he might entirely remove the disgust which had prevailed among several of the members at the last breaking up of the sessions, he, of his own accord, retracted the salvo to which they had so warmly objected, and not only fully ratified the two charters, but also issued a commission to three bishops, three earls, and as many barons, to make perambulation of the forests. He then began to prepare for his expedition into Scotland; but was delayed some time from carrying it into execution by the arrival of his bride, the princess Margaret of France, to whom he was married with great solemnity, on the twelfth of September, 1299, at Canterbury.

All the ceremony of this wedding being over, he set out for York, where he held a parliament, on the eleventh of November, to deliberate upon proper means for carrying the war into Scotland with advantage. He next put himself at the head of his army, and advanced as far as Berwick; but finding the year too far gone for him to venture, with any degree of prudence, his own person or those of his troops in that boggy, mountainous, and inclement country, he resolved to pass his Christmas where he was. Here he issued a commission, appointing John de St. John, the same officer who had served him so well in France, to be governor of Scotland.

About the beginning of February, 1300, he set out for London, to meet the parliament which he had summoned to sit at Westminster on the second Sunday of Lent. His first act, on his arrival at his capital, was to restore to the city of London its charter, which he had seized twelve years before, and ever since kept in his hands. On the day appointed he met his parliament in Westminster-hall, where he ordered the Great Charter and that of Forests to be read in his presence, and in the presence of the whole assembly renewed and confirmed them in the most authentic manner; and a new statute was made for the better explaining them, called *Articuli super chartas*, or Articles upon the Charters. These additional articles the reader will find in their place. These acts he followed with several others of a like salutary and popular tendency. Three knights were appointed, by writ, in each county, to enforce the Great Charter, with power to imprison and fine all offenders against them. All the bad money, which was then very common in England, under the different denominations of crocards, pollards, rosaries, and others, were next called in, and a decree issued forbidding them to

be longer current on any terms throughout England. He likewise banished Pierce Gaveston, who made so infamous a figure in the following reign, from about the person of his son, prince Edward, whose morals he had most shamefully corrupted; nay, so desirous did the king appear to manifest his strict regard to justice, that he even put the young prince himself under arrest for having, through the advice of his minion, grossly insulted the bishop of Lichfield, high-treasurer.

These, with several other wholesome regulations, being enacted, to the great benefit of the subject, Edward set out for the North, and called together a great meeting of his military tenants at York, on Midsummer-day, where, notwithstanding the late concessions made by the crown, several of the barons renewed their disputes with regard to their obligations by tenure to attend the king's person; but Edward found means effectually to conquer this opposition, and, about the beginning of July, entered Scotland with a great army, and proceeded without opposition as far as Galloway. Here he was met by deputies from the Scottish army, which was assembled not many miles off, under the command of Cummin, the new regent. These deputies proposed the following as terms for laying down their arms, and coming to an accommodation, viz. "That he would release their king, and allow them to ransom their estates, which he had given to his favourites; otherwise they would defend themselves to the last extremity."

Edward peremptorily refusing to agree to these terms, all conferences broke off, and the deputies returned to their camp on the banks of the river Swyvey, whither they were quickly followed by Edward and his whole army, who endeavoured to bring the Scots to a general engagement; but they, finding themselves unable to cope with the great numbers their adversary had brought into the field, immediately fled to their fastnesses, whither Edward could not follow them: nevertheless, they suffered a considerable loss in their retreat, by Edward's troops falling on their rear, and cutting off great numbers.

The hopes the Scots had reposed in their own valour being utterly blasted by this overthrow, they sent ambassadors to implore the protection of pope Boniface, and offer him the sovereignty of the kingdom. That ambitious pontiff embraced the proposal without hesitation, and ordering a bull to be expedited on the subject, sent it immediately, with a letter, to Winchelsey, the archbishop of Canterbury, directing him to deliver it into the hands of Edward without delay. Winchelsey, obliged to obey, set out for Scotland, and, on the twenty-fifth of August, reached Edward, who was then reposing himself at the abbey of Dazquhar, after having made himself master of Stirling castle, the key to the northern part of Scotland.

beset a constant man; and therefore ought not to subsist in law, nor to redound to the prejudice of the kingdom: that when legates were sent into England by the apostolic see, to exercise their functions, they could not, upon that pretext, proceed to do the same in Scotland; neither was there ever a legate admitted, or ought to be admitted, into that kingdom, unless he brought special letters from the pope to the king of Scots; which had been needless, if Scotland had been a fee of England, or the kings of Scotland subject to the kings of England: that the church of Scotland had ever been, as the kingdom, independent of any but the see of Rome: and that when the archbishop of York had, in his predecessor's time, pre-

tended to a superiority over the clergy of Scotland, he could produce nothing to make good his plea, but a letter from some Scotch bishops, who had passed this compliment upon him, "Remember that we are yours." In fine, he absolutely condemns the design of the king of England to subdue Scotland, especially when it wanted a head; and admonishes him, sharply, to withdraw his arms from thence, and to leave the Scots to their own liberties and laws: adding withal, "That if he had any equitable plea to allege for himself, he should appear before him, by his ambassadors, within six months; and that he would take care to do justice to both parties."

Edward was alarmed beyond expression at the pope's pretensions to the sovereignty of Scotland, and, upon the first perusal of the bull, is said to have sworn, in a transport of passion, that, rather than submit to the dictates of the papal chair, he would destroy Scotland from sea to sea: but having considered the subject in a cool and dispassionate manner, he judged it most adviseable to counteract the designs of his opponent with policy and address; he therefore ordered the archbishop to be again called to him, and acquainted his reverence, "That, in a matter of such importance, it was necessary for him to have the advice of his parliament, which he would take the first opportunity of assembling, and then would transmit to his holiness an account of the result of their deliberations." In the mean time, to make some shew of moderation, he agreed to a proposal made him by the French court, for granting the Scots a truce for nine months; and having dismissed his forces, returned to England about the latter end of November.

This unexpected attack upon a superiority which he had so much at heart, had made the king, on the twentieth of September, issue writs for a parliament to meet, on the twentieth of January following, at Lincoln, to which the counties and boroughs were directed to send the same members as had sat in the last, unless any were sick or dead, in which case they were to chuse others to supply the vacancies*. This early notice seems to have been given, that every one might come fully prepared to discuss the matters which were to be debated: and it was with a like view that he summoned several of his own clergy and others, who were in the greatest reputation as civilians. The rest of the year 1300 was spent in preparations for the ensuing parliament, of which both the crown and people had the highest expectations.

This year was remarkable for two events, which affected the royal family: the first was the birth of a son to Edward, at Brotherton, in Yorkshire, who was christened by the name of Thomas; and the next was the death of Edmund, earl of Cornwall, son to the late king of the Romans, whose estate now reverted to the crown.

In the beginning of the year 1301, Edward, after keeping his Christmas at Northampton, opened his parliament at Lincoln, where, previous to entering upon the main subject of debate, the king indulged his subjects with a confirmation of the several charters of liberties, in particular the perambulations of the forests were confirmed with this clause, "That whatever by these perambulations was disforested, should remain so; and what was then accounted to

beforest, according to the metes and bounds then set out, should be so for ever." This had so good an effect upon the temper of the parliament, that the laity granted the king a fifteenth part of all their moveable goods, to be paid by the first of October of the current year.

These affairs being dispatched, the pope's bull came next under deliberation, when, after the matter had been fully considered, it was unanimously agreed, that a letter should be written to the pope, in the name of the barons of England, in which, after several compliments of course, they acquainted his holiness, "That the kingdom of Scotland had never belonged to the see of Rome in temporals; that it was an ancient fief of the crown of England, and had with its princes never been subject to any other superior than the kings of England; that the kings of England neither had answered, nor ought to answer, for aught relating to the right of their kingdom, or rather temporalities, before any judge ecclesiastical or secular, as being inconsistent with their royal dignity, and contrary to immemorial custom; and that having considered his letters, it was their unanimous and fixed resolution, that the king should not answer judicially before him about his rights in Scotland, nor send agents to him on that account, since it would evidently tend to the dishonour of the crown of England, and the subversion of the state of the kingdom, to the prejudice of their laws, liberties, and customs, which by their oaths they were bound to observe, and would, by the help of God, maintain to the utmost of their power, and not suffer the king, if he should attempt it, to do any thing so unprecedented." The letter concluded with "desiring the pope to let the king peaceably enjoy his rights, liberties, customs, and laws, without diminution or disturbance." This letter is dated from Lincoln, the twelfth of February, 1301, and one hundred and four lords put their seals to it, for themselves and the whole community of the kingdom. The king afterwards, on the seventh of May, in a long letter, wrote Boniface a particular account of the hostile behaviour of the Scots, and set forth his right to the superiority of Scotland in the same historical manner as had been done at hearing the claims of the competitors for that crown; but, at the same time, took care to protest, that he did it not in a judicial way, but purely to inform the pope's conscience.

Notwithstanding the loyal and affectionate jealousy of Edward's honour, as king of England, which appears in this letter of the great men of the nation, it is certain that, during this very session, they laid several schemes to circumscribe his power; but the

* As this writ is in itself very curious, I shall give the substance of it from Mr. Tyrell.

It recites, "That the king had granted the Charter of the Forests, and had assigned commissioners in every county where there were forests, to make perambulations, and to report them to himself before any execution was done thereon; that his own oath, the right of the crown, his reasons and claims, as well as those of all others, might be saved. And though the said commissioners had already returned to him what they had done, yet because the prelates, earls, barons, and great men of the kingdom, in whose presence he would have his own and the reasons of all others proposed and heard, were not then present with him; since there are others who were bound with himself to observe and maintain the laws and rights of this crown; and farther, that those who ought to propound their reasons concerning this matter, had notice of it, without whose advice a good end could not be put to it: therefore, because this business might be dispatched without delay, he was willing to have a conference and treaty with the prelates, earls,

barons, and great men aforesaid, and others of the community of the kingdom concerning this affair, and other arduous matters, touching himself and the state of the kingdom; he therefore commanded, and firmly enjoined him, the said sheriff of Cumberland, to cause to appear before the king, at his parliament at Lincoln, on the octaves of St. Hillary next coming, two knights of his county, viz. those who came for the community of the county, by his precept, to the late parliament, as also the same citizens, and the same burghesses, for all the cities and boroughs within his bailiwick; and if any of them were dead, or infirm, then to cause others to be chosen, and to come in their stead, so that they might be present at the day and place aforesaid, with full power to hear and do what then should be ordained for the common profit of the kingdom."

By the same writ, the knights and citizens repairing to parliament, were to be allowed reasonable expences from their constituents; and orders all who have any objections to put in against the perambulation, to appear before himself, and exhibit them in parliament.

readiness with which he complied with all their reasonable demands, and the confidence he seemed to repose in their fidelity, soon got the better of all opposition; and his appointing twenty-four knights to be chosen for distinguishing and settling the bounds of the forests, and ordering his clergy to enforce sentence of excommunication against all persons, himself not excepted, who should infringe any article of the Great Charters, so riveted the king in the affections of his subjects, that the parliament broke up perfectly well satisfied of the rectitude and sincerity of his intentions.

The business of the parliament being finished, the king created his son, Edward of Caernarvon, prince of Wales and earl of Chester, with a view to fix the fidelity of the Welsh, by reviving those titles in his person, which had hitherto been so dear to them. This being done, Edward began to make preparations for prosecuting the war in Scotland, the truce with that people expiring at the ensuing Midsummer: accordingly he sent the prince with a body of forces into that country, and followed himself with another.

The Scots prudently declining a general engagement, kept in their woods and fastnesses, only sending out occasional parties to harass the English in their march, so that the campaign passed without any thing happening of note, except the taking and recovering a few castles. Edward, however, willing to deprive them, as much as possible, of every opportunity of recruiting their forces during the winter, determined to pass that season in the country, and kept his Christmas at Linlithgow: but on receiving advice of the conclusion of a truce between the English and French plenipotentiaries at Amiens, till the thirteenth of November, 1302, in which king Philip had included the Scots, as his allies, he returned to England. From thence he sent ambassadors to the court of France, to expostulate with that monarch on the article above-mentioned, and in particular for his having given John Baliol the title of king of Scotland. Philip, however, insisting on the clauses, he contented himself with entering a protest against them, before a notary-public; and then, on the twenty-sixth of January, 1302, ratified the articles. This seems to have been an expedient agreed on between the two crowns, which the king of England was particularly desirous of, that he might be more fully at leisure to complete the reduction of the Scottish malecontents, which appears to have been the darling object of his heart. This truce was communicated to the governor, prelates, and nobility of Scotland, who promised to observe it with the greatest fidelity; and some French writer tells us, that it was ratified by John Baliol himself.

This treaty was soon after followed by another private one, between the two kings of France and England, in which the former agreed to give up the Scots, after having procured a prolongation of the truce for them till Whitsuntide next year; and the latter struck Guy, count of Flanders, out of the list of his allies, a treatment Guy had well deserved by his repeated falsifications of his engagements with his protector. By this treaty it was agreed, that the two kings should meet at Amiens, in September following, there to swear peace mutually to each other; and that Edward should simply and unconditionally do homage to Philip for the duchy of Guienne, as a peer of France: Ed-

ward, in return for this concession on the part of the French monarch, ordered the earl of Lincoln, as his proxy, to do homage to Philip, in his name, and entered into a league offensive and defensive with France.

Much about this time the earl-marshal and Humphrey de Bohun, earl of Hereford (son to the late deceased nobleman of that name, and hereditary high-constable of England, having been accused of an attempt, in conjunction with Winchelsey, archbishop of Canterbury, to excite commotions in the kingdom during the king's late absence, thought proper to resign their estates, titles, and offices, into Edward's hands; who, not seeking to ruin his great men, but only to reduce their overgrown power, regranted to them their possessions, honours, and dignities, and now saw himself altogether triumphant over faction.

Early in the year 1303, he sent orders to John de Segrave, whom he had, the winter before, appointed his governor in Scotland, and commander of the castle of Berwick, to begin hostilities as soon as the truce should expire. Segrave, who had been very assiduous in getting together an army, no sooner received the commands of his sovereign, than he set about making the proper dispositions for penetrating into the heart of Scotland, which he looked upon as a matter of no difficulty, being at the head of no fewer than thirty thousand men, all well appointed, and therefore was the less upon his guard. Finding it necessary to extend his quarters, he divided his army into three bodies, and marched to take in a larger space of ground; never dreaming of the least opposition, he proceeded in the most careless and secure manner until he came to Roslin, in the neighbourhood of Edinburgh.

The Scots, however, who looked upon his march as an infringement of the truce, resolved to take advantage of the English general's security to give him a total overthrow. The Scottish army was then lying at Biggar, a place about sixteen miles from Roslin, under the command of Cummin, the guardian, with his lieutenant-general sir Simon Fraser. Segrave had impolitically stationed his three divisions at such distances, that they could neither receive any immediate assistance from each other. The number of the Scots amounted to about ten thousand only; but these falling unexpectedly upon the first division of the English, put them to flight, and took Segrave himself prisoner.

The second division, under the command of, Segrave's brother, being informed by the fugitives of the accident that had befallen their general and his first corps, marched in all haste to recover the honour of the field from the enemy, whom they thought to find fatigued with the late encounter, and unable to withstand the efforts of a fresh body: the Scots, however, to whom success had given new force, met their charge with amazing intrepidity, and, after an obstinate engagement, again proved victorious, and forced the assailants to retreat with considerable loss.

By this time the third division of the English, under the command of sir R. Neville, appeared in sight, and the Scots, already exhausted with fatigue, and greatly weakened by the former actions, would willingly have declined another encounter; but being encouraged by the exhortations of their leaders, they

they furnished themselves with the arms of the vanquished, and mounting the horses they had taken, stood the shock of a third engagement, which, after an obstinate struggle, they at last gained, though not without great loss and difficulty. The event, however, was not altogether inglorious to Neville, who retook Segrave, and thereby brought off his men with some appearance of a victory. Most of our English authors, indeed, and in particular Carte, affect to treat the whole action as a petty skirmish of no kind of consideration; while the Scots, on the contrary, extol this triple victory as not to be paralleled in history. Perhaps both sides are alike misled by prepossession: besides, the English certainly need not grudge the Scots the honour of these actions, as it is well known that they not only beat them in several other engagements, of far greater importance, but even made an entire conquest of their country.

Be that as it may, thus much is certain, that Edward considered the affair in so serious a light, that he set out, immediately after Easter*, for Scotland, having appointed Roxburgh for the rendezvous of all his land forces, and ordered a fleet of ships, fitted out by the Cinque Ports, to meet at Newcastle by the Whitsuntide following.

On the twentieth of May this year, a peace was finally concluded between the two crowns of England and France, at Paris, and ratified by both parties; the pope's award for a marriage between the prince of Wales and Isabel of France was confirmed, and the count of Savoy and the earl of Lincoln, as Edward's proxies, espoused the young princess with great solemnity.

Edward, as soon as his army was assembled, put himself at its head, and fell with prodigious fury into Scotland, advancing as far as Perth without meeting any opposition†. Here he staid for some weeks, and then advanced northward: here, for the first time, he met with a check, for coming before the castle of Brechin, Thomas Maule, lord of Panmuir, who commanded in it, defied Edward, and declared himself determined to hold out to the last extremity; but being killed on the walls by an arrow, shot from one of the English cross-bows, the garrison, dispirited at the loss of their chief, capitulated and delivered up the place. From hence the king marched to the strong fortrefs of Urquhart, which he took by storm; and then proceeded to the utmost extremity of Scotland, from whence he returned to Dumfermling, where he passed the winter.

As soon as the season of the year 1304 permitted the taking the field, Edward opened the campaign with the siege of Stirling castle, which was defended with great valour by William Oliphant for five months, when at length, being reduced to the greatest straits, and his garrison being lessened above two thirds, he was forced to surrender at discretion.

While this siege was carrying on, the Scots, finding they had nothing to trust to from foreign assistance, began now to think of once more making their submission. Accordingly Cummin, the guardian, sent mediators to negotiate his peace, and that of his friends. After various conferences, it was agreed, "That he and his adherents should be pardoned, upon paying a ransom, to be fixed in the next parliament, when the affairs of Scotland were to be settled. That all the castles in the kingdom should continue in the hands of Edward: and that the prisoners on both sides should be set at liberty, with exceptions from the general amnesty of several persons, who had been most active in raising the late insurrection, and among the rest William Wallace, who was to submit himself wholly to the king's mercy."

Edward, having now completely quelled all opposition (Wallace and his followers excepted, who still remained in arms, and still cherished the expiring sparks of liberty), held a parliament, or rather a great council, about the month of August, 1304, at St. Andrew's, in Scotland, whither Cummin and his friends repaired, to do homage and swear fealty to him: after which he made a progress through the northern counties, and from thence returned to London, where he kept his Christmas.

As he was upon his way homeward through the northern counties, he made some short stay at York, where he ordered the courts of King's Bench and Exchequer, which had been held almost seven years in that city, to be removed to Westminster.

He had been absent from his dominions near two years, and found that numberless disorders had, in the interval, prevailed throughout the kingdom. Robberies, murders, and other crimes of the like nature, were committed with equal wantonness and impunity, by a set of banditti, who had formed themselves into such strong parties as to bid defiance to the authority of the civil magistrate. To remedy these evils, the king called a parliament in the beginning of March, 1305, when an extraordinary commission was vested in certain judges, to be nominated by the king, to go into all counties, and strictly to enquire concerning all offenders, of what rank soever they might be, and empowering them to execute justice upon the spot. This commission was called Writ of Traylebaston; and these justices were, in a manner, the same with the justices in eyre; and, besides the charge above-recited, they were commanded to make inquisition throughout the realm, by the verdict of substantial juries, upon mayors, escheaters, and others, concerning extortion, bribery, intrusions into other men's lands, and such like grievances. For the derivation of the word Traylebaston, the reader may consult the note‡.

Domestic

* These three engagements were fought on the twenty-fourth of February, 1303. Buchanan.

† About the time of his entering into Scotland, he received the disagreeable news that his treasury in Westminster-abbey was robbed of one hundred thousand pounds in money, plate and jewels. The monks were suspected of being concerned in the robbery; and it appeared from the inquisitions that were taken on the occasion, that they had been observed, on the very night in which it was committed, to pass to and from the neighbourhood of the treasury, with large bundles and hampers, which they sent off by water. Part of the plate and jewels was afterwards found in London, and other places; and the abbot,

together with fifty monks, and thirty lay-brethren, were committed to prison. Pat. 31 Ed. I. and Rym. tome ii. fol. 912, 915.

‡ It is an old French word, signifying "to draw a staff." As for the reason why this commission was so called, we are at a loss to account. Mr Tyrrel says, "That though it is commonly attributed to the speediness of the process, which was dispatched almost in as little a time as a man could draw or let fall a staff, yet this signification seems forced; and he rather inclines to the authority of the Evesham Chronicle in the Bodleian library, which derives it from a certain instrument antiently belonging to the shoemakers, wherewith they used to beat

Domestic tranquility being thus re-established, Edward began to turn his attention towards regulating the affairs of Scotland; and, taught by experience, resolved to treat those people with greater lenity than he had hitherto done. Robert de Bruce, earl of Carrick, dying about this time, his son, of the same name, received investiture of his father's lands, after doing homage to Edward, who, as an earnest of his future favour, remitted the fine that Robert was to pay for his estates in England, and at the same time took into his good graces two of that nobleman's countrymen and friends, John Mowbray and the bishop of Glasgow, though they had actually borne arms against him in the last insurrection. Thinking that he had now bound them by the ties of gratitude to his interest, he desired them to consult of a proper time and place for holding a parliament to settle the government of Scotland; and, agreeable to their advice, ten persons, viz. two of each order of bishops, abbots, earls, and barons, and two for the community of the gentry (one of these north, the other south of the firth of Forth), were to be chosen as deputies, to come and treat with the English commissioners, in a parliament which was to be held at London, in the month of September following*.

Here, after a consultation of twenty days, the civil establishment of Scotland was thus fixed: "Eight justices were to be appointed, to regulate the affairs of government: the natives of Scotland and England were rendered alike capable of filling offices of power and trust within the first-mentioned kingdom. John, earl of Brittany, the king's nephew, was appointed guardian there; and the posts of chancellor, chamberlain, and judges were filled by part English, part Scots.

"It was also agreed, that the Scottish laws and customs should be abolished; and that, upon the arrival of the guardian in Scotland, a parliament should be convoked, in which the laws of king David should be revised, together with the amendments and additions made to the same by their other kings. And the same guardian was to have full power (advising with his council) to make such farther alterations and amendments in those laws, as should seem most consistent with the good of the kingdom, and the safety and welfare of the subject, without consulting the king thereupon: but if any thing should arise in the course of this business which might seem beyond their capacities to rectify, that such case should then be committed to writing, and sent by the deputies from the states of Scotland to the parliament of England, where the same should be finally canvassed, by their deputies, and a certain number of commissioners appointed by the king.

At the breaking up of this parliament, Edward issued a general pardon to all the Scotch nobility, who had borne arms against him. This act of grace had the title of "*Forma pacis Scotiæ*—The Form of the Peace of Scotland;" and may be found at large in Tyrrel.

The new regulations of government in Scotland were attended by an oath, that seemed calculated equally for the benefit of the king and people, and was taken by all the Scottish nobility, except Robert Bruce, who does not appear to have been in England at this time, neither was on the list of the commissioners for settling the civil policy of his country. Edward knew, and dreaded, his great talents, and was apprehensive that if he had a share in modelling the Scottish kingdom, it would be upon a plan in no wise agreeable to his views. Bruce was not to be deceived; he saw into this jealousy of the king: his discourse with Wallace on the day after the battle of Falkirk had made a lasting impression upon his mind; and being convinced, from the whole of Edward's behaviour, that he had only his own ends in view, he resolved to take care of his own interests, and prosecute his designs upon the crown of Scotland. At this time he had another reason of disgust: the commissioners had awarded, that he should surrender his strong castle of Kildrommie to Edward. He knew it was not a time to dispute, and therefore put on the appearance of a cheerful acquiescence; but, glowing with resentment for the wrong he had sustained, he now laid the plan of conduct, which he afterwards executed with incredible fortitude and perseverance, and by which he rendered himself the glory and admiration of the age. A real friendship had never subsisted between him and Wallace: the latter was the idol of the common people, and Bruce could never hope, after the submissions that his father and himself had made to Edward, that he should be able to make any figure while that illustrious competitor was alive: but fortune soon delivered him from that perplexity, for Wallace, being discovered in one of his lurking places, by the vigilance of sir John Monteith, Edward's governor of Dunbarton castle, was seized, and conveyed to London, about the middle of August, where he was brought to his trial in Westminster, and being found guilty of high-treason, (in that he had divers times borne arms against and defied Edward, his lord paramount and absolute sovereign of Scotland), he was condemned to die the death of a traitor; and his sentence was executed with the most barbarous punctuality, his head being erected upon a pole on London bridge, and his quarters exposed in the chief cities of Scotland. Thus fell the great sir William Wallace, whose

beat their apprentices, called a Traylebaston, but is now out of use; and of which the author says, that the king, in his return from Scotland, was told this story, concerning those who then made it a trade to take money to beat other men: that a certain wicked person, hired some of those ruffians to beat another man, whom he durst not meddle with himself: hereupon the person attacked desiring them to spare him, promised them, that if they would bestow as many more blows on him who set them to work, he would reward them double; which they agreed too. So, in their return, they met with the man that first employed them, who asking them whether they had done as he had ordered them? they answered, yes; and that they were to receive as much more for the like business: so one of them, being a shoemaker, crying out, Traylebaston, they all fell upon him, and cudgelled him twice as much more as they did the other. At which story the king at first smiling, was resolved to secure his people for the future from such malefactors; and therefore he appointed certain officers on

purpose to punish them, who were ever after called commissioners of Traylebaston.

This writ, in Mr. Rymer's Collections, is dated the 6th of April 1305, at Westminster.

* The names of the commissioners on both sides were as follow: those for Scotland were the bishops of St. Andrew's and Dunkeld, the abbots of Cowper and Melros, the earl of Buchan, John Mowbray, Robert Keith, Adam Gordon, John Inchmartine, and earl Patrick. Those for England were the bishop of Chester, the abbot of Westminster, the earl of Lincoln, Hugh d'Espencer, John de Hastings, John Botetour, Roger Brabazon, William Bereford, John de l'Isle, Raynard Brandon, Hugh monk of Manchester, sir John Banstead, the bishop of Worcester, the abbot of Waverley, the earl of Hereford, Henry Piercy, William Martyn, sir John Sandall, sir Ralph Hougham, Roger Hougham, and Philip Martel. Rymer. Ryley.

character has been very differently drawn by the English and Scotch historians; the former representing him as a rebel to his lawful lord (being a native of Galloway, in the Cumbrian territories, which was held in vassalage of the crown of England by the Scottish kings), and a merciless inhuman ruffian, who committed the most shocking cruelties upon women and children, in the course of the war: while, on the other hand, the Scots extol his memory to the skies, as that of a man whom every free state would wish to call its own; a firm and unshaken patriot, and a martyr to the liberty and independence of his country. The judicious reader will easily perceive, that both sides have equally exaggerated the merits and demerits of this great soldier: thus much, however, may be advanced with the strictest truth, that Wallace, by his invincible courage and obstinacy, in opposing the progress of Edward's arms and designs, excited such an ardent love for liberty, and such an unconquerable spirit of independence in the breasts of his countrymen, as finally delivered Scotland from its subjection to the English crown.

This great rival of Bruce's ambition being thus removed, that politic nobleman endeavoured to bring over Cummin of Badenoch to associate with him in the plan he had laid down for retrieving the independence of his country. The despicable Baliol had, by his abdication, divested himself of all pretence to the throne, and Cummin now stood in the same rank, with regard to the succession, that Baliol did before: he was not so weak a man as not to see in part through Bruce's professions of patriotism; but thinking that he might be of service to him in his own views, he affected implicitly to believe all he said, and waited only for a favourable opportunity to remove him for ever out of his way. For the present, however, he entered into a mutual agreement; he even engaged to give Bruce his interest for the crown, which he pretended was too great a weight for him to support: and Bruce, on his side, bound himself to acknowledge Cummin as first prince of the blood, and to give him all the private patrimony of the Bruce family. Here the regard we profess for historical impartiality, will not permit us to pass by this convention between these two great noblemen, without observing the baseness and perfidy of both, in thus entering into an association against a prince whom they had acknowledged as their lawful sovereign, and to whom they were at that very time under the most binding engagements: but to what lengths will not the thirst of rule hurry even the greatest men! Both these associates had the same views; each believed the one to be the dupe of the other; but, had not death interfered, it is more than probable that Edward would have been the sole gainer. But to return.

No sooner was Cummin in possession of the instrument signed by Bruce, than he resolved to make use of it to ruin his confederate with Edward, and immediately sent it away to the court of England, just as that nobleman was setting out for London. The king, in the first sallies of his resentment, would have apprehended the earl; but, on maturer consideration, he was contented with keeping a strict watch over his actions: he hoped likewise to make fresh discoveries by means of Cummin, to whom Bruce, suspecting no treachery, communicated by letters whatever he did at court. It was not long, however, before the earl found that he had been

betrayed, and therefore resolved to make his escape, which he effected with such address and diligence, that it was impossible to prevent, and much more to overtake him. Being arrived at his own castle of Lochmaben, in Annandale, he there found his brother, Edward Bruce, and a few trusty and brave friends, to whom he related his story, and who swore to stand by him in every step he should take, to the last drop of their blood.

It was now agreed to go in search of Cummin. As they were upon the road, Bruce received a full demonstration of his colleague's treachery, by means of a courier they met by accident, who had been dispatched with letters from Cummin to the court of England: by these letters they were informed that he was at Dumfries, whither they hastened, and found him at his devotions in the church of the Menorites, or Grey Friars. The enraged Bruce, not withheld by the sanctity of the place, upbraided him with his perfidious conduct; Cummin at first would have vindicated himself, and denied the charge; but Bruce shewing him the letters he had just intercepted, a violent altercation ensued; and, in the heat of the contest, Bruce, alike regardless of religion and virtue, sheathed his dagger in the breast of Cummin, whose blood besprinkled the high-altar. This murder, of which the Scotch and English historians give very different accounts, was committed on the tenth of February, 1306.

The motives for this detestable act, which is not to be excused by any political necessity, or, indeed, any pretence, that may not be applied to palliate the blackest crimes, was evidently the lust of empire; and the subsequent conduct of Bruce sufficiently verified it: for no sooner had he left Cummin dead, than, mounting hastily, and marching to the castle, attended by his partisans with their followers, he seized upon the place, and the persons of the king's justices, who were sitting to hear causes in the great hall: after which, in a set speech, he gave his friends to understand, that he intended instantly to assume the crown, and free his country from its subjection to the English. A general shout spoke the assent of all present, and the air resounded with the cries of "Long live king Bruce!"

Robert had now gone too far to retreat; he was lost to all hopes of a reconciliation with Edward, even if he had desired it; nothing, therefore, remained but to endeavour to strengthen his party. He was presently joined by all those who were disaffected to the English government, and, taking advantage of the absence of Edward's forces, which that prince, trusting to the execution of the late establishment, had drawn out of Scotland, he, in a short time, over-ran a great part of the kingdom without any one attempting to oppose his progress. The earl of Brittany was not yet come to take upon him the guardianship of the realm, the custody of which still remained in the hands of the bishop of St. Andrew's, Robert Keith, John Sandall, and John de Kingston; the two first of whom were Scots, and in the interests of Bruce, especially the bishop. The English, especially such as were in the garrisons, seeing this turn of affairs, quitted the country; and Bruce, coming to the abbey of Scone, on Lady-day, 1306, was there crowned by the countess of Buchan, sister to the earl of Fife, a privilege inherent in that family. This lady, either out of a patriotic zeal, or (what is more probable) an affection for Bruce, who was

at that time one of the handsomest men of his age, stole from her husband, who was of the Cummin-family, and therefore the sworn enemy of Bruce, that she might perform the ceremony of that coronation, which was done in the presence of the bishops of St. Andrew's, Glasgow, Murray, and a great number of persons of the first distinction.

At this time Edward was not idle; for he was no sooner informed of the murder of Cummin, and the revolt of Bruce, than he applied to Clement V. who had been lately made pope from being archbishop of Bourdeaux, to launch the ecclesiastical bolts of excommunication against Bruce and his adherents: but this latter made a jest of the censure, and got himself absolved by one of his own prelates, and by that means quieted the scruples of his new subjects. In the mean time Edward, wisely judging that his chief dependence must be upon the arm of flesh, sent Valence, earl of Pembroke, with the lords Robert Clifford and Henry Percy, at the head of a small army, to encourage and protect the friends of his government in Scotland, while he himself was preparing to support them in person with the whole force of his kingdom.

To make these preparations, however, it was necessary to raise a large and a general supply. With this view he demanded an aid of his parliament, who unanimously granted him, for themselves and all the community of the realm, a thirtieth part of the temporal goods of which they should be actually possessed at the ensuing Michaelmas, in the same manner as the fifteenth raised in the eighteenth year of his reign; and the boroughs and towns of the king's demesnes granted him likewise, with the same unanimity, a twentieth of all their moveables. This parliament met on the twentieth of May, and sat only three days. These supplies, however, not proving adequate to the expences of the war now taken in hand, Edward resolved to raise a farther sum by a method, which, being certain and always in his own power, he had reserved for an extraordinary occasion; this was to knight his eldest son, on which account an aid was due to him by scutage, in right of his crown: at the same time he thought this ceremony would serve to divert the minds of his subjects, who began, about this time, to be a little soured by some exacting bulls that had been lately transmitted from Rome, especially one attempting to establish the payment of the first-fruits of all ecclesiastical preferments throughout the kingdom, as an ordinary right due to the see of Rome.

Writs were now issued out all over England, for those who had any title to the honour of knight-hood, either by heritage or estate, to repair to Westminster by Whitsuntide, to be knighted with prince Edward, and there to receive the military ornaments suited to that dignity. Such a number of young noblemen and others assembled in consequence of this invitation, that the royal palace was too small for their accommodation; they were therefore entertained (at the king's expence) in tents and pavilions in the garden of the New Temple.

Prince Edward received the honour of knight-hood first from the king his father, which gave him a right to confer the same, as he did, in the church of Westminster, on two hundred and sixty-

seven young noblemen, who, by that act, were deemed his companions, and, as such, became in honour attached to his interests and service. As soon as the ceremony was over, they all set out with the prince for Scotland, to exercise their first feats of arms, agreeable to an oath they had all taken at their creation to that effect; and the king, proposing to follow soon in person, issued writs, commanding the prelates, nobility, and all who held of him by knight's service, to meet him at Carlisle on the eighth of July, at which time and place the general rendezvous of all the English forces was appointed: and as Edward had made a resolution not to return to England till he had completed the reduction of Scotland, he constituted the archbishop of York (Winchelsey, the primate of Canterbury, having been suspended and sent to Rome, on account of some practices against the government) and Langton, bishop of Lichfield, guardians of the realm during his absence.

We have already seen that Edward had sent the earl of Pembroke, with the lords Clifford and Percy, at the head of an army, to keep up the spirits of his friends till he could join them in person. These commanders had advanced as far as Perth, where they received a message from Robert Bruce, challenging them to battle, which they thought proper to decline. Robert then went and encamped at Methuen, about two miles from Perth, and, thinking he had nothing to apprehend from an enemy who did not dare to meet him in the field, he suffered himself to be surprized by the English in the night-time, who fell upon his camp with such sudden and irresistible fury, that he had not time to draw up his men in any order; nevertheless, he made a most gallant resistance, considering the situation he was in; he was thrice dismounted, and as often relieved by the bravery of Simon Fraser; but the defeat becoming general, he himself, with but a very few followers, escaped out of the field, and took refuge in the castle of Kintyre, in Argyleshire; but several noblemen, who were taken in the action, were immediately executed as traitors.

This battle had been fought only a few days before Edward arrived with a great army in Scotland, which he immediately divided into two parties; one of which he sent northward, under the conduct of the prince of Wales, assisted by the earls of Lancaster and Hereford: these had the good fortune to seize Bruce's castle at Kildrommie, and many of his principal followers, with his queen and sister. After this successful expedition, the prince met his father at Dunfermlin, or Perth; and by this time all Scotland once more submitted to Edward's power, who, it must be confessed, wreaked his revenge upon those who fell into his hands with unmanly fury: the lady Mary, sister to Bruce, and the countess of Buchan, the same already mentioned, were shut up in wooden cages, and hung, the one over the walls of Roxburgh, the other over those of Berwick, as a spectacle for the insulting populace. The bishops of St. Andrew's and Glasgow were also put to death as traitors: the earl of Athol, the particular friend of Bruce, was hanged on a gallows at London, fifty feet high. Niel, Thomas, and Alexander, the three brothers of Bruce, were confined close prisoners;

* On the twenty-fifth of July, 1306.

and that unhappy prince himself was driven to such distress, that he was obliged to retire, with two of his friends, to places where they had no society but with the beasts of the field, and little subsistence but in common with them; at length he got, in the beginning of winter, to the Highlands, where he continued for a time in concealment. His wife and sister were sent to England, and confined in different castles†.

Edward, who verily believed that Bruce had fallen a victim to hunger or distress, and that he had now got the better of all opposition, resolved to proceed against those who had occasioned the late disturbances: with this view he ordered the English guardian and justices of Scotland to make proclamation in all cities, boroughs, and market-towns, "That all such who had been in arms against the king, and had not made their submission, should be pursued with hue and cry until they were taken, dead or alive; and that those who harboured or protected them, should suffer the punishment of traitors: that all who had been concerned in the murder of John Cummin, or that advised or consented thereto, or that should harbour or protect any of the perpetrators, advisers, or abettors of that murder, should be drawn and hanged: that those who had willingly sided with Robert Bruce in his late rebellion, should be imprisoned during the king's pleasure: lastly (which is the most unaccountable article of all), those who had been forced to take up arms against the king, were to be fined as the guardian should see cause, and according to their offence."

The unfortunate and pusillanimous John Baliol dying about this time at his estate at Mons en Vimeu, in Picardy, Edward bestowed all that prince's English estate in favour of John, earl of Brittany; and applied to the pope to have the abbey of Scone translated to some other place; but while he was thus exulting in fancied superiority, news arrived that Bruce, whom he thought so effectually crushed as never more to be in a condition to give him annoyance, was again in arms, and had been joined by a number of resolute friends: this gave Edward infinite disquietude; he saw, without being able to prevent it, all his great schemes for uniting the two kingdoms under one head, baffled and destroyed by a handful of naked half-starved wretches, who sacrificed every comfort of life to their love of liberty or revenge. In vain had he filled the kingdom with the most sanguinary executions; as vainly had he tried the milder methods of forgiveness and kindness: severity only served to inspire rage instead of dread, and lenity did but give the submitting party new opportunities to continue their opposition. In this critical situation Edward was obliged, late as that season was, to order the earl of Pembroke, with the lord Lorn, at the head of a body of veteran troops, inured to hardships and the inclemencies of that ruthless climate, to go in pursuit of Bruce and his party.

That heroic prince, while he was suffering the severest hardships that human nature is able to sustain, was forming schemes for ascending the throne of his ancestors. He had for some time

lain concealed in Naughlone, an island in the Highlands, from whence he had found means to send sir James Douglas and sir Robert Boyd, to acquaint his friends on the continent of Scotland, that he was still alive: upon this agreeable news they and their vassals instantly armed, and Bruce, secretly putting himself at their head, cut off a convoy of English provisions going to the court then in Scotland. After this he attacked the castle of Turnberry, which he took, and obliged lord Henry Percy, who commanded for Edward in those parts, to retire towards England. All these exploits he achieved with no more than four hundred men: but the season of the year, and the nature of the country, were more in favour of these adventurers against the English, than ten times their numbers.

While Edward was holding his parliament at Carlisle, the cardinal de St. Sabine arrived as ambassador from the pope, to press the consummation of the long-depending marriage between the prince of Wales and the princess of France, agreeable to the award of the present pope's predecessor. The reason why that marriage did not take effect sooner, was that the castle of Mauleon en Soule, a fortress of considerable importance, with a large territory adjoining, had not been restored with the rest of Gascony to Edward, being detained by a knight, to whom king Philip had made a grant of it, and who refused to deliver it up without an equivalent. The cardinal undertook that the king of France should satisfy this knight, and that the place should be given up; and till that was done, he retired to London, there to receive an answer to the dispatches he had sent to the court of France: Edward at the same time engaged, that if that answer should be such as he approved of, the prince of Wales should immediately pass over to France to celebrate his marriage. The cardinal, willing to give the king a mark of his own and his master's attention to his interest, before he took his leave, called a meeting of the English bishops, in which he denounced, in a solemn manner, sentence of excommunication against Robert Bruce and all his abettors. It is now time to turn our eyes towards Scotland, and see the result of the earl of Pembroke and lord Lorn's expedition against that prince.

These two noblemen executed their commission with so much diligence, notwithstanding the rigorous season of the year, it being in the month of February, 1307, that they soon came in sight of the enemy, who lay encamped on the brow of the hill; which the English generals observing, lord Lorn put himself at the head of a body of Highlanders, and, taking a complete compass, thought to surround the enemy in that position. Bruce perceiving his design, and knowing that, if it succeeded, himself and his followers must inevitably fall into the hands of the foe, had recourse to an expedient, by which he extricated himself from the danger that threatened him: he instantly divided his little army into three corps or divisions, and ordered them to march by as many different roads to the wood of Glentroule, near Cumnock,

† We find, in Mr. Rymer's Collections, a writ, in regard to the place and manner in which each prisoner was to be kept. The household of Bruce's wife, in particular, is very minutely regulated. "She was allowed, to attend upon her as servants, two grave women, not gay, but middle aged; two valets, who were to be of the same character; and a sober quiet foot-boy;

to make her bed, and to do other necessary things about her room: and a butler, for carrying her keys, and taking care of her pantry; with three huntmen for her diversion; with the best house in the manor, to live in; and venison and fish at her will." Tome ii. p. 112. I have inserted this, that the reader may have some idea of the œconomy of those days.

where they were at a certain time to assemble again together: this manœuvre succeeding to his wish, he soon found himself joined by a considerable number of friends; nevertheless, his army did not yet amount to a thousand men.

The lord Lorn finding that his enemy had escaped him, lost no time in rejoining the earl of Pembroke, and both of them marched in pursuit of the fugitives. Bruce finding them eager in the chase, improved the advantage his knowledge of the country gave him so well, that he at length decoyed the earl of Pembroke into a disadvantageous situation, and then fell upon him with such fury that he quickly gave him a defeat. He afterwards attacked a detachment commanded by the earl of Gloucester, and obliged that nobleman, after an obstinate dispute to fly for refuge to the castle of Ayr, where he shut himself up till he should be relieved by Edward. These successes revived the drooping spirits of the Scots; they flocked daily in numbers to enlist under the banners of the gallant Bruce, whom they termed the Deliverer of his country; so that in a short time he found himself at the head of ten thousand men, most of them ignorant of discipline, indeed, and only half-armed, but desperation made them dangerous.

Mean while Edward remained at Carlisle, impatiently waiting for the troops he had summoned to meet at that place, at Midsummer, with a resolution to take a signal vengeance of the Scots, even to the extirpation of their very name: but death cut short all his mighty projects, and saved the Scottish nation, on the very brink of destruction. He had, for some time, laboured under a dysentery, which had greatly weakened him, but his eagerness for executing his designs not permitting him to wait for the day of the general rendezvous of his forces, which was to be on the eighth of July, he put himself at the head of such of his forces as were already come up, and marched, on Monday the third of July, from Carlisle, though unable to proceed above two miles a day. When he came to a place called Burgh on the Sands, in Cumberland, he found that his last moments were coming very fast upon him, and therefore sent for prince Edward, his eldest son, to whom he earnestly recommended three things: the first was, vigorously to prosecute the war with Scotland, till he had entirely subdued that country; the second, to send his heart to the Holy Land, with thirty-two thousand pounds sterling, which he had provided for the support of the holy sepulchre; the third was, never to recal Gaveston: to all which the prince solemnly swore observance; with what sincerity we shall see in the history of his reign. The king now took leave of his children, and all his great officers, and delivered himself up to the care of his spiritual monitors*; soon after which he resigned his last breath, as his servants were raising him up to take some nourishment, on the seventh of July, 1307, in the sixty-eighth year of his age, having reigned thirty-four years, seven months, and six days.

The character of few princes are so very perfect as to be without a flaw in some part. He was a great soldier, a wise king, a consummate legislator, and an accomplished gentleman; but, with all these good qualities, he was devoured with a restless and dangerous ambition, that made him frequently sacrifice the principles of humanity, justice, and benevolence, nay the good of his people, to his predominant passion for universal rule. The ambitious man is ever arbitrary and cruel; so was Edward, when in pursuit of his towering projects, witness his many stretches of prerogative at home, and his general treatment of the Scots from the first moment he formed the design of subjecting that kingdom to his vassalage. But, out of gratitude for the great benefits this country has reaped from the many excellent statutes enacted in his reign, and from the noble improvement he made in the civil government, we will no longer dwell on the exceptionable parts of his character.

His person is represented as graceful, tall, and comely; his features regular and elegant, with eyes keen and piercing, and an aspect that equally commanded reverence and esteem: of a robust and compact make, he excelled most of his cotemporaries in bodily strength and activity; his shape was somewhat disproportioned, on account of the too great length of his legs, whence he got the name of Longshanks; but then this blemish was attended with a considerable advantage, for it gave him such a firm seat on horseback, that he was not, without the greatest difficulty, to be dismounted.

With these bodily perfections he possessed a cool head, a sound judgment, and an intrepid heart; he was sagacious in foreseeing difficulties, provident in guarding against them, and ever present to himself under the most sudden change of events, and in the midst of the greatest perils. In a word, if we compare him with his father, his grand-father, and his own son, his successor, we must confess that England suffered a very considerable loss by his death.

King Edward was twice married: first to Eleanor of Castile, by whom he had issue as follow.

1. John, born A. D. 1266, who died A. D. 1271, in the sixth year of his age.
2. Henry, who died very young, in the first year of his father's reign.
3. Alphonso, who was born at Bayonne, in Gascony, in 1273, and died at Windsor, in 1285.
4. Edward, who succeeded him on the throne of England: he was born on the twenty-fifth of April, in the thirteenth year of his father's reign, A. D. 1284, at Caernarvon, in North Wales, from which place he had the name of Edward of Caernarvon.
5. Eleanor, the eldest daughter of king Edward and queen Eleanor, was born at Windsor, in the fiftieth year of Henry III. first betrothed to Alphonso, king of Arragon; and, after his death, married to the count of Bar.
6. A daughter born in Palestine, and died there an infant.

* His dying ejaculations, if we may believe cotemporary authors, were worthy a king and a Christian: "O Lord! (said he) if thou thinkest it good for these thy people to have me here continue longer with them, I am ready to venture my life for them: but if otherwise, thy will be done." It is said

also, he gave directions, that, even after his death, he should be carried into Scotland, as a sure preface of victory over a people whom he had always defeated. Hemingford. Matt. Westm.

7. Joan of Acres, so called from the place of her birth; first married to Gilbert de Clare, earl of Gloucester, and afterwards to Ralph de Monthermer. She died A. D. 1307, somewhat above three months before her father.

8. Margaret, born at Windsor, A. D. 1275, and married in 1290 to John, duke of Brabant.

9, 10. Berengera and Alice, who both died infants.

11. Mary, born A. D. 1279, a nun at Ambresbury.

12. Elizabeth, matched with John, count of Holland; and afterwards with Humphrey de Bohun, earl of Hereford and high-constable of England.

13, 14. Beatrix and Blanch, who both died in their infancy.

Edward's second wife was Margaret, sister of Philip IV. surnamed the Fair, king of France; by her he had two sons and one daughter.

1. Thomas, born the first of June, 1300, at Brotherton, in Yorkshire; created, on the sixteenth of December, 1312, earl of Norfolk, by Edward II. and, in February, 1316, earl-marshal of England.

2. Edmund, born the fifth of August, 1301, at Woodstock, in Oxfordshire; and created earl of Kent by Edward II. in the fifteenth year of his reign.

3. Eleanor, born May 6, 1306, who died in her childhood.

REMARKABLE OCCURRENCES.

In the third year of king Edward's reign, according to Matthew Paris, a general earthquake happened in England: it threw down St. Michael's church on the Hill, near Glastonbury, in Somersetshire. In his sixteenth year, the same author writes, that as the king and queen were talking together, in their bed-chamber, a flash of lightning struck in at the window, passed by them, killed two of their servants who were waiting on them, but did them no mischief. In the following year there was so great a plenty, that wheat sold in some places at twelve pence a quarter; and not many years after for twenty shillings a bushel, as much as four pounds now.

In the year 1299, the twenty-seventh of his reign, an act was made by the common-council of London, for prices of poultry to be sold in that city: one fat cock for three half-pence; two pullets for three half-pence; a fat capon for two pence half-penny; a goose, four pence; a mallard, three half-pence; a partridge, three half-pence; a pheasant, four pence; a heron, six pence; a plover, one penny; a swan, three shillings; a crane, twelve pence; two woodcocks, three half-pence: a fat lamb, from Christmas to Shrovetide, six pence; and all the whole year after for four pence.

It may be further observed, that in this reign the title of Baron, which was common to all those who held lands of the crown, was confined to those only who were summoned by the king to parliament.

EDWARD II. surnamed Of CAERNARVON. A.D. 1307.

THE age of Edward II. who, when he mounted the throne, had not completed his twenty-third year, the gracefulness of his person, and the majesty of his appearance, impressed the people of England with the most pleasing hopes of their new sovereign; but, unhappily, they were soon awakened from their flattering dream, and, to their sad experience, convinced, that they had entertained too favourable an opinion of him.

The very first step of his reign gave an unhappy omen of what followed. His father had barely resigned his breath, and himself received the homage of the English prelates and nobility at Carlisle, when, forgetting his oath concerning Gaveston, he sent to recal that favourite; nay, without waiting for his return, he made him in an instant the richest subject in the kingdom, by creating him earl of Cornwall, and bestowed on him all the lands that had escheated to the crown by the death of Edmund, the late earl, son of Richard, king of the Romans, to which also he added the wardship of the person and estate of Gilbert, earl of Gloucester. How advantageous such a wardship was in those days, may be gathered from the Rolls of 31 Henry III. where Simon de Montfort fined in ten thousand marks, to have the custody of the lands and heir of Gilbert de Umfreville. Soon after, hearing that his minion was arrived in Eng-

land, his impatience to have his company got the better of faith, honour, promises, interest, and even decency; he instantly appointed the earl of Pembroke his governor of that part of Scotland which still remained in allegiance to the English, and then hastened to welcome the companion of his wishes.

Gaveston's return was quickly followed by the disgrace of Langton, bishop of Lichfield, treasurer to the late king: his effects were sequestered, and himself imprisoned in Wallingford castle. To this violence he added the removal of all his father's officers and domestics, without even advising with his council.

About Michaelmas, a parliament was summoned at Northampton, to regulate the late king's funeral, together with the marriage and coronation of his son, the reigning prince, and also to deliberate on the state of the nation. Here a subsidy was granted, to defray the expences of the two ceremonies; and a very impolitic ordinance was passed, making the base coin, which had been cried-down in the preceding reign, again current throughout the kingdom.

The body of the deceased king, instead of being conveyed into Scotland, agreeable to his dying request, was removed to Waltham abbey, from whence it was carried to Westminster abbey, in which it was interred with great solemnity*.

* On the eighteenth of October, 1307, on the north side of the shrine of St. Edward, under a tomb of grey marble, with this inscription:

EDWARDVS PRIMVS, SCOTORVM MALLEVS, HIC EST. 1308. PACTVM SERVA.

That is, "Here lies Edward I. the Scourge of the Scots. 1308. Observe Engagements."

Engraved for
MORTIMER'S
History of England



S. Wale delin^t

C. Grignon sculp^t

EDWARD II

The king, not satisfied with having broken his engagements to his dying father in the two instances, of recalling Gaveston, and the disposal of his royal body, now added a third of the most aggravating kind, by bestowing upon his favourite, as a gift, the very sum (of thirty-two thousand pounds) which the deceased prince had, by his last will, appropriated to the maintenance of one hundred and forty knights, who had engaged to carry his heart to Jerusalem; and, to crown the whole, he gave him his niece, Margaret, sister to the young earl of Gloucester, in marriage, the nuptials being celebrated on the first day of November, with great magnificence.

The war with Scotland was all this time shamefully neglected. Bruce, who had retired on the elder Edward's approach, no sooner learned that his son had left the conduct of the campaign to the earl of Pembroke, than, issuing out of his fastnesses, he fell upon the county of Galloway, and soon reduced it to his obedience. This, and some other checks that the English received under the earl of Pembroke, made it necessary to recal that commander, and give his commission to the earl of Brittany, who, getting together a fine army, marched against the Brucians, and, through the great superiority of his numbers, obliged them and their leader to retire once more within their bogs and morasses.

Edward now resolving to go over to France in person, in order to consummate his marriage with the princess Isabel, which had been delayed by the late king's death, and some other intervening accidents, he ordered a commission to be made out, appointing the earl of Cornwall (Gaveston) guardian or lieutenant of the kingdom during his absence, with powers superior to any that had ever been vested in a subject on the like occasion. This mad partiality to an upstart foreigner, at once so prejudicial to the honour of the crown and the interests of the nation, could not fail of alarming the great men of the kingdom, who made several warm remonstrances to the king thereupon, but he shewed not the least regard to their complaints; nay, if possible, he affected to shew a greater fondness for the object of their hatred and dislike.

The necessary preparations for Edward's voyage to the continent being now completed, he sailed, early on the morning of the twenty-second of January, 1308, from Dover, and, landing at Boulogne, did homage on the twenty-fourth, to the king of France for the duchy of Guienne and the county of Ponthieu. The following day, being the Conversion of St. Paul, the nuptials were celebrated in the church of Boulogne, the kings of France, Navarre, of the Romans, and Sicily, with the queens of the two former monarchs, being present at the solemnity, which was the most magnificent that the age would permit.

After some days spent in feasting, Edward, who was anxious to return to England, in order to finish the ceremony of his coronation, which had been delayed till the queen could receive the same honour, took his leave of his father-in-law and the other illustrious personages, and landed, with his consort, on the seventh of February, at Dover.

The ceremony of their coronation was appointed on the twenty-fifth following, in Westminster abbey. The archbishop of Canterbury, whose right it was to perform that high office, being under a papal suspension, the pope had proposed to send a cardinal to officiate on the occasion, hoping, perhaps, to found on that act, a claim of crowning the kings of England, like that which his predecessors had advanced with regard to the coronation of the emperors of Germany; but Edward opposing it strenuously, and being joined by the great men and prelates of the kingdom, the only alternative left, was to recal archbishop Winchelsey; and the pope having taken off his censure, the archbishop, who was then out of the realm and unable through sickness to come over himself, sent a commission to the bishops of Winchester, Salisbury, and Chichester to perform the ceremony. This was not the only difficulty that attended the king's coronation; his excessive fondness for Gaveston, and the disregard he had shewn to the remonstrances of the barons on that head, together with the insolence of the favourite himself, who affected to treat the English nobles with the most mortifying contempt, had at length so far irritated this important body, that they sent to acquaint the king they would not assist at the ceremony, unless Gaveston should be banished the kingdom. Edward, in this dilemma, promised faithfully to grant them all the satisfaction they could desire, provided his coronation was not delayed; and the noblemen in return accepted this answer as satisfactory for the present.

Gaveston, however, was so far from being humbled by these marks of disgust to his person and conduct, that he appeared with such fastidious pomp at the coronation, in which he carried the crown of St. Edward before the king, that one of the earls could hardly be prevented from sacrificing him to his resentment.

The ceremony of the coronation* being over, Edward, unmindful of his promise to his barons, continued to heap new favours every day upon Gaveston; there was no access to the king's person but through him; all places of honour and profit were disposed of solely by his will; in a word, the deluded Edward seemed to labour under a kind of supernatural infatuation in regard to this minion, who, on his part, giddy with power and intoxicated with the large draughts of royal bounty, became so overbearing and haughty, that even the queen herself was not exempted from his insults, and the chief of the nobility were the common butts of his ridicule and slights: in short, his

* As this is the first perfect copy of a coronation oath in the English history, it will not be amiss to give it a place here. The form of the oath was as follows:

Bishop of Winchester. "Sir, will you keep and confirm, by your oath, to the people of England the laws established by the pious kings your predecessors, and in particular the laws, customs, and liberties granted to the clergy and people by the glorious St. Edward, your predecessor?"

King. "I will, and promise it."

Bishop. "Sir, will you preserve to God, to holy church, to the clergy, and people, the peace of God fully and to the

utmost of your power?"

King. "I will."

Bishop. "Sir, will you cause to be observed, in all your judgments, right and justice, with discretion in mercy and in truth, as far as you are able?"

King. "I will,"

Bishop. "Sir, will you promise to keep, and cause to be kept, the laws and statutes that the community of your kingdom shall judge fit to enact; and will you defend and protect them to the utmost of your power?"

King. "I do promise all this."

conduct, and the weakness of the king, became at length so unsufferable, that the noblemen entered into a design of seizing the person of Gaveston, and compelling him to abjure the kingdom for life, or end his days in a prison. This confederacy, however, could not be carried on so privately but that the favourite got notice of it, and escaped to Wallingford castle, from whence he went to Windsor, where Edward then resided, who received him with all the transports of a lover; and vowing revenge against those who had dared to plot against the peace of his favourite, he gave orders for fortifying the towns and castles belonging to the crown, as if he intended to set his subjects at defiance. A number of barons followed his example, they assembled in an armed manner at Ware, from whence they proceeded to Northampton, where they summoned together a great council of the nobility, on pain of plundering and destroying the houses and lands of those who refused to join them.

Every thing seemed now to portend a civil war, when happily it was averted by Edward listening to the advice of a few faithful counsellors, and ordering writs to be issued for the parliament to meet on the twenty-eighth day of April; when the barons appeared in great numbers, attended by armed followers, and insisted upon the banishment of Gaveston: Edward, finding it in vain to oppose the united voice of the nation, was at length obliged to give up his favourite, though not without a hard struggle, which, more than once, seemed to threaten the most fatal consequences to the nation.

On the eighth of May, therefore, the king issued out a writ, commanding "that the lord Piers Gaveston, earl of Cornwall, to depart the realm of England by the twenty-fifth day of June following, never more to return within the said realm." At the same time the bishops, in convocation, published a provisional sentence of excommunication against him, "should he continue longer in England than the day above-fixed for his departure, or enter it any more after such departure."

The king, however, to console his favourite under his disgrace, made him several grants, to the amount of three thousand marks per annum, for him, his countess and his heirs for ever: and, to elude, as much as in him lay, the spirit of the sentence, he appointed him lord lieutenant of Ireland, with powers as ample as those of royalty itself, allotting him the whole revenue of that kingdom for his subsistence: and when the day of his exile came, he accompanied him in person as far as Bristol, where he exhibited the most unmanly weakness at parting with him.

In this parliament the whole revenue of the county of Ponthieu was allotted for the maintenance of the queen's household.

All this time the indefatigable Bruce was watching an opportunity when he might advantageously fall upon the English in Scotland, and extend his conquests over that country. The arrival of the earl of Brittany, with a numerous army, had obliged him for a while to keep within his inaccessible fastnesses; but the winter-season of this year advancing, Bruce, who knew the English could not stand the severity of the climate, took the field, while the latter were obliged to retire to winter-quarters. His first step was to march northwards, where he surprized the castle of Inverness; and his army hereby increasing, by the accession of his te-

nants and subjects, he found himself at length in a condition to march southward. Here he was opposed by the two Scottish chiefs, Cummin and Mowbray, at a place called Inverary, and an engagement ensued, in which Bruce, though very ill of a dysentery, owing to his great fatigues, ordered himself to be carried on men's shoulders to the field; and his presence, even in that condition, so animated his troops, that he gained a cheap, though, in their situation of affairs, an important victory. After this he took the castles of Brechin and Forfar, and made himself master of almost all the country to the southward of these fortresses.

Edward must have been lost to all sense of shame and honour, had he continued quietly to look on, while the great work, which his father had, with his dying breath, so warmly recommended to his care, was daily undermined by the activity and resolution of the enemy; accordingly we find him giving orders for an army to be assembled at Carlisle, in the beginning of the following spring, to take the field against the Scots, himself proposing to head his troops in person.

In the mean time Bruce's successes had so altered the face of affairs in Scotland, that a convention of the states of that country having met at St. Andrew's, in the beginning of the year 1309, Bruce's right of sovereignty was solemnly recognized there; and the court of France so far countenanced his pretensions as to send a person with the character of envoy, to be present at this meeting; a proceeding which gave Edward no small uneasiness, and he complained very sharply to Philip of this double dealing, but seemingly without obtaining any satisfaction, for we find a truce was concluded between the English and Scots for nine months, which gave the latter a very desirable respite, and leisure to carry on their negotiations with several foreign courts, particularly that of Rome. In a parliament, held about Easter this year, Edward confirmed, in a solemn manner, the two Great Charters of Liberties and Forests: his chief view was to ingratiate himself with his people, and bring them to consent to his recalling Gaveston from his exile, without whose presence life seemed to be an intolerable burthen.

That nobleman had made a much better figure in Ireland than he had ever done in England, and even had acquired a considerable share of reputation by his government there, having reduced the O'Briens, and other rebellious Irish, to their duty, by force of arms, and restored perfect tranquility in that country. Edward was in hopes that these achievements would have wrought powerfully in favour of Gaveston with the parliament; but when he came to touch upon the subject of that lord's return, he soon found it was a point not to be gained.

The connections which Bruce had found means to establish with the pope and the king of France, the former of whom granted him absolution for the murder of Cummin (the most popular clamour against his government), and the latter promised to acknowledge his title to the crown in form, had so emboldened him, that he very ill observed the truce lately concluded with England, omitting no opportunity of making depredations or captures. He was, indeed, not a little encouraged to these proceedings (unwarrantable by the rules of strict honour) by the secret instigations of Philip him-

self,

self, and the distracted state of the English councils, through the return of Gaveston, which had set every thing in a flame. That favourite, despising the sentence that had been passed on him by his sovereign and his peers, had landed in England, about the beginning of September; and Edward was so unwise as to go and meet him at Chester, and bring him to London with him, in a kind of triumph. This had the effect that may naturally be supposed; the nobility were highly exasperated; the insolence of the favourite, raised beyond all bounds; nay, as if he studied how he should most effectually render himself odious, and embroil his master with his subjects, he drew immense sums of money out of the royal treasury by his sole authority; he even took the king's plate and jewels, and either sent them abroad or sold them here for money to support his extravagances: add to this, that he made the most reproachful and ridiculous personal reflections upon the noblemen of the first dignity, giving nicknames of reproach to the earls of Lancaster, Pembroke, Warwick, Lincoln, and even to his wife's brother, the earl of Gloucester.

Personal reflections are always found to give birth to the most implacable resentments. The barons, impatient of the continual insults they received from Gaveston, entered into an association for his destruction, and appointed several tournaments at different places, in order to get their friends together, and concert measures for wreaking their vengeance upon the earl of Cornwall; but Edward, suspecting their design, issued proclamations, strictly forbidding all such assemblies on any pretence whatsoever: nevertheless, the discontented nobles still kept their resentments alive, and of this they gave the king himself a convincing proof; for a parliament being summoned to meet at York, on the eighteenth day of October, they refused to obey the summons, or assist thereat: and another being appointed to meet at the same place, they had the boldness to send the king word that not only they would not assist him with their presence and councils in the great assembly of the nation, but that they would take arms against him as a perjured prince, if he would not put away his favourite, declaring that they could not look upon their persons as safe, where that evil counsellor was present; upon which Edward, finding the spirit of opposition too strong for him to encounter, ordered Gaveston to withdraw, and adjourned the parliament till the beginning of Lent in the following year, when it was to meet for the dispatch of business at Westminster.

About Michaelmas this year, Gilbert de Clare, earl of Gloucester, was appointed captain-general of Edward's forces in, or to be sent to, Scotland; and a fine army was actually assembled on the borders of that kingdom; but the dissensions at home prevented any thing farther being done.

Edward having kept his Christmas at Windsor, returned to London to meet his parliament, which had been prorogued till Lent. On the second of March, 1310, the assembly sat for the first time; and the cursory business of the meeting being dispatched, the lords presented a petition to the king, setting forth, in pretty warm terms, "the great injury the nation had sustained by the prodigality of the king, and the avarice of his favourite; they reminded him of the flourishing state in which his father had left the kingdom at his death, and

the contemptible condition to which it was now reduced; all which grievances they imputed to the evil advice and bad conduct of his servants; concluding with a demand, that he would give leave to certain lords, to be appointed by the parliament, to make proper regulations for the well governing the realm, and the affairs of his own household." Edward, who was as timorous on certain occasions, as he was haughty and obstinate on others, and who was not blessed with the deepest discernment, now took the very contrary step to what he should have done; and he, who so resolutely persisted in retaining Gaveston, contrary to the advice of his barons, and against all the rules of sound policy, now tamely resigned the government into the hands of a few men, who, taking advantage of his weakness, bullied him into a compliance with their own terms: in a word, he issued a commission, dated the sixteenth of March, 1310, authorizing the prelates, earls, and barons, to elect proper persons for making the proposed regulations.

The assembly accordingly proceeded to nominate a council, or committee, of twenty-one persons, who were to take the title of Lord Ordainers, and whose ordinances for the good of the realm were to be inviolably observed. These ordainers consisted of seven bishops, eight earls, and six barons: the prelates were the archbishop of Canterbury, the bishops of London, Salisbury, Chichester, Norwich, St. David's, and Llandaff; the earls were, Gloucester, Lancaster, Lincoln, Hereford, Pembroke, Richmond, Warwick, and Arundel; the barons, Hugh de Vere, William de Mareschal, Robert Fitz Roger, Hugh de Courtney, William Martin, and John de Grey.

Previous to acting any thing under their commission, the ordainers signed an instrument, declaring "that they did not mean, that the licence given them thereby, should be drawn into a precedent thereafter, or that it should in any degree affect the king or his successors, to his or their prejudice." This instrument, together with the form of an oath to be taken by each of the lord ordainers, "for the due observance of justice in the work they were going upon," is to be found in the public records, dated "the twentieth of March, in the year of our Lord 1309, in the third year of the reign of king Edward, the son of king Edward, at Westminster, in the Painted Chamber of the said king."

Edward, having thus reconciled himself to his subjects, prepared to prosecute the Scottish war with vigour. He sent for Richard de Burgh, earl of Ulster, and a body of forces, from Ireland; ordered a fleet to sail towards the mouth of the Tay, for the security of Perth, which was still in the possession of the English; and appointed a rendezvous of his forces at Berwick. By the second of August the king had advanced as far as Northampton, in his expedition towards Scotland; there he was presented by the lords ordainers with the body of ordinances they had drawn up, and of which we shall speak farther in another place. From hence the king proceeding by long marches, joined his army at Berwick; and entering Scotland, in the beginning of September, advanced as far as Linlithgow without encountering even the shadow of opposition. Bruce was sensible that his soldiers were not as yet sufficiently disciplined to face the English veterans in the field, and therefore very prudently retired before Edward's army; but not till he had destroye

or carried off every thing that could serve for subsistence to man or beast; then betaking himself to the mountains, he from thence sent out detached parties, that, falling upon the stragglers of the English army, generally intercepted and cut them in pieces. Edward finding his forces insensibly diminish the farther he advanced, and beginning to be in great distress for provisions, he returned back to Berwick, where he put his army into winter-quarters.

In this town he kept his Christmas, that he might be at hand to repress the encroachments of the Scots, who usually repaired in winter the losses they had sustained during the summer. This conduct of Edward had so good an effect, that he was able to take the field early in the spring of the following year, 1311; but finding himself under the same difficulties in relation to forage and subsistence, he therefore once more retired to Berwick, from whence he sent Piers Gaveston, with the greatest part of his forces, towards Perth, the key of the Highlands; but as the Scots retired to their woods and morasses, and could not be brought to a general engagement, he had not an opportunity of signaling himself.

Toward the latter end of July the king set out for London, where he summoned a parliament to meet, on the eighth day of August, in order to examine and confirm the new ordinances. The king being come into the assembly, and seated on his throne, was presented, by the archbishop of Canterbury and the other lords, with the ordinances, to which was the following very remarkable preamble:

"Forasmuch as the king was deceived by evil counsel, and the nations of Gascony, Ireland, and Scotland in danger of being lost, and the realm of England to be ruined by oppressions, prizes, takings, and destructions; therefore, Robert, archbishop of Canterbury, the bishops, earls, and barons, chosen according to the king's commission, did ordain, to the honour of God and holy church, and the honour of the king and his realm, in the manner following."

Then follow the ordinances, which the reader will find in the note*; but as several of them, upon inspection, appeared to be highly derogatory from the dignity of the crown, Edward, though obliged to sign the confirmation of them, did in the first place enter a protest, implying that if any of those ordinances should be found injurious to the king, or exceeding his commission, they should be deemed null and void, or amendable by the king, with the advice of the lords ordainers and others.

It was not till the fifth of October, near two months after they had been first presented to the king, that these ordinances received his final assent, and then they were published by the prelates, earls, and barons, in St. Paul's church-yard; and copies of them were sent to the sheriff of each county in England, with orders to publish them in their several districts. The archbishop of Canterbury, and his suffragans published provisional sentences of excommunication against all who should presume to infringe them; and, in short, nothing was omitted to give them the most solid sanction and authority.

* The substance of these ordinances were as follow.

1. By these ordinances it was enacted, that the church should enjoy her franchises. 2. That the peace should be kept. 3. That the two charters should be observed. 4. That the customs should be collected by natives, and paid into the exchequer, from whence the money should be issued by the treasurer and chamberlains, for the maintenance of the household; that the king might live upon his own revenue, without being obliged to oppress the subject. 5. That Emery Frenobalde, and his partners, by whom the customs had hitherto been farmed, should account for their receipts within a fortnight after Michaelmas, on pain of being arrested, stripped of their effects, and treated as public enemies. 6. That no prizes should be taken by the king's officers, without the owner's consent. 7. That the duty of three shillings upon every tun of wine should be no longer collected. 8. That the jurisdiction of the steward, and marshal of the king's court, should be limited to causes concerning the officers of the household, or such as lived within the verge of the court. 9. That it should be deemed felony in any one to take corn, goods, or merchandize, under a false pretence of purveyance for the king. 10. That sheriffs should be appointed by the chancellor, treasurer, king's council, barons of the exchequer, and justices of the king's bench; and that none should be entrusted with the office but such as had lands of sufficient value to answer for their actions. 11. That parliaments should be held once a year. 12. That the coin of the kingdom should not be altered, but for very cogent reasons, and by the consent of the baronage. 13. That all persons prosecuted unjustly, and acquitted, should be entitled to damages. 14. That none should be appealed maliciously, or outlawed in counties where they had no lands or tenements. 15. That they should neither forfeit their estates, nor lose their lives, provided they should surrender themselves to the king's prison to stand trial. 16. That pardons for robbery, and other felonies, should not be granted without good reason; but be deemed void, unless agreeable to the king's oath, the course of the law, and the custom of the kingdom. 17. That all privy-seals for stopping law, or common right, on false pretences of being in the service of the crown, should be declared void, and the plaintiff recover damages on discovery of the deceit. 18. That the jurisdiction of the court of exchequer should be confined to such pleas as concerned the crown, the officers of the exchequer, and their menial servants. 19. That

acquittances should be given for debts paid, and accounts passed in the exchequer; or, if denied, the plaintiff should have redress in parliament. 20. That all grants of lands, castles, towns, offices, wards, and escheats, in any part of the king's dominions, made since the sixteenth of March in the foregoing year, should be resumed by the crown, and not renewed to the same persons, without the advice of the barons, or the consent of the parliament; and that all grants which might be made before the king's debts should be paid, and his revenue improved, should be deemed null and void, and the procurers of such be punished by the award of the baronage. 21. That all evil counsellors should be removed from the king's person, particularly Henry de Beaumont, and his sister the lady Vesey, who had obtained grants from the king, dishonourable to the dignity and prejudicial to the prerogatives of the crown. 22. That whereas Piers Gaveston had given evil counsel to his majesty, removed all persons of integrity and abilities from the public offices, and supplied their places with his own weak and worthless creatures, embezzled the king's treasure, impoverished the realm, by obtaining unreasonable grants, and procuring blank charters which he filled up according to his own pleasure; protected robbers, arrogated to himself the regal power and dignity, and formed associations inconsistent with the laws of the land, he should, for these misdemeanors, abjure the kingdom for ever before the first of November; and if found in any part of his majesty's dominions after that day, should be treated as an enemy to the public. 23. That the king should not leave the realm, nor declare war against any prince or potentate, without the consent of the barons. 24. That upon his quitting the kingdom, with their consent, a guardian of the realm should be appointed by the parliament, which should also nominate the chief officers of state, of the household, of the revenue, and of justice, as well as the keepers of forests, the escheators on both sides the Trent, and, in a word, all persons employed under the crown in any part of his majesty's dominions. 25. That all persons in office should take an oath to observe these ordinances. 26. And that one bishop, two earls, and as many barons, should be chosen in every parliament, to receive complaints against the king's ministers, and others, who should violate these ordinances, and punish the offenders at discretion. See Acta Publ. p. 225, 226. Brady's Hist. vol. iii. p. 102—119. and Appendices, No. 50, &c.

The parliament now broke up, after a very long session, which had so much tired the members, that a petition was presented by a considerable number of them to the king, praying that they might be dismissed, with leave to retire to their several counties and habitations: accordingly the parliament was prorogued to the first Friday in November. In the mean time, Edward having suffered himself to be bound with fetters that he could not easily shake off, lamented his hard fate in being obliged to part with his favourite Gaveston, who, by an especial article in the ordinances, had been condemned to perpetual banishment from the English territories. However, to save him the disgraceful character of an exile, he gave him an imaginary commission for raising troops in Gascony, for the assistance of the count de Foix, who was at variance with the king of France; but Edward's quick-sighted queen had taken care to prejudice her father so much against him, that, finding he could not with safety remain in France, he retired into Flanders, where he lived in great splendor. His banishment, however, was not of long continuance, for as soon as the parliament (which was to sit in November, but had been prorogued for some time longer) was broke up, Edward, with a shameful insincerity and disregard of his solemn promises, early in the beginning of the year 1312, sent him over an order to repair immediately to England; and we meet with a proclamation, in Mr. Rymer's Collections, repealing by the royal prerogative the exile of Piers Gaveston, "as being unjust and contrary to the laws which he, the king, was at his coronation sworn to observe."

This bare-faced breach of the late ordinances could not fail of raising all the resentment of the great men, who had had a share in enacting them, and whose interests were concerned to enforce the observance of them. Edward was now at York, whither he had gone to welcome back his darling Gaveston, and solace himself in the pleasure of his company and conversation. The little confidence to be put in the oath or promises of the king, and the insufferable insolence of the worthless wretch on whom he lavished the wealth of his kingdom, made several noblemen, of the first rank and character, think it a kind of duty incumbent upon them, both on their own account and that of their country, to unite together. The chiefs or heads of this association were the archbishop of Canterbury, Humphrey de Bohun, earl of Hereford and high-constable of England, Guy Beauchamp, earl of Warwick, the earls of Pembroke and Surry, and several other bishops and barons: with these joined, to the great increase of their interest and power, Thomas Plantagenet, earl of Lancaster, who, by his vast estates and his own royal descent, was by far the greatest subject in England*. Cemented by a fondness for popularity and a declared aversion to the minion and measures of the court, the confederacy seemed but as one person, animated by the same soul: after several conferences upon the state of affairs, it was unanimously resolved to take up arms, to assert their own rights and privileges, and rescue their master out of the hands of a rapacious and over-bearing favourite. If, in the prosecution of this enterprize, laudable

in itself, they ran into excesses subversive of the just distinctions to be preserved between royalty and the subject; if they suffered private views to get the better of public virtue; it was because they were men, and that the pursuits of men are, in general, liable to be affected by prejudice or self-interestedness.

The confederate barons began their operations by chusing the earl of Lancaster to command the forces they proposed to raise in their several counties; an honour which could not be refused to his merit, even if no regard had been paid to his quality. After this resolution was taken, and before they would proceed to extremities, they applied to the king himself, by humble petition, desiring that he would remand Gaveston into banishment, agreeable to the late ordinance, which he had so solemnly promised to observe; but Edward, as if he had rather studied to provoke than appease his justly discontented subjects, instead of answering their demand, wilfully committed a fresh violation of one of the principal articles of the ordinances, by making the bishop of Lichfield high-treasurer, without consulting the ordainers; and, that he might leave no one error uncommitted, he, at the very time when the spirit of opposition shewed itself most powerful against his favourite, made him governor of Nottingham and warden of the forests on this side the Trent. The barons seeing the king thus obstinate, and that every method of reconciliation was rejected by him, dispersed themselves into the several counties, and began to raise an army, not against their sovereign, but against the destructive power of his minister. After drawing all their forces together, they marched directly to York, thinking to surprize the king, whose indolence they well knew; but herein they were deceived, for hearing of the earl of Lancaster's approach, he retired to Newcastle, as a place of greater safety, by reason of an excellent garrison with which he had taken care to furnish it. But as the lords continued advancing northward, Edward's fears increased; and, taking Gaveston with him, he went on board a vessel and threw himself into Scarborough, thinking that a place in which he might trust the person of his favourite, whose welfare affected him more than his own, or that of his royal consort, whom he had abandoned, though big with child, in Newcastle, refusing to take her along with him in his flight. The earl of Lancaster being made acquainted with her forlorn condition, sent a message to her, in the name of the confederacy, assuring her, that nothing was intended against either the dignity or safety of the king or herself, but only against that of the pernicious favourite, who had alienated his master's affections from his faithful subjects, and even from those the nearest allied to him. After this, Lancaster appearing with his forces before the walls of Newcastle, the gates were instantly thrown open to him; and the confederates, after having allowed their troops a few days refreshment, advanced to Scarborough, where Gaveston was shut up. The king had by this time retired to York, in hopes of raising forces sufficient to relieve his favourite, whom, at parting, he recommended in the strongest terms to Henry de Beaumont, a crea-

* He was son to Edmund, son of Henry III. and earl of Lancaster, Leicester, and Ferrers; and in right of his wife, of Lincoln and Salisbury.

ture of his, whom he had made governor of the place.

When Edward came to York, he found himself miserably deceived in his expectations of raising forces there, the people in general shewing a great backwardness to arm against those who had taken the field purely in support of the common cause. Thus disappointed, he had recourse to the poor expedient of directing a writ to the lords employed in the siege of Scarborough, commanding them to lay down their arms and disband their troops; but such an order, in the then situation of affairs, was, we may easily conceive, little attended to; on the contrary, the earls of Surry and Pembroke, with the lords Henry Percy and Robert Clifford, who had been sent by the earl of Lancaster to lay siege to the castle, pressed their operations with so much vigour that at length Gaveston was obliged to surrender on certain conditions, the principal of which were, that he should be allowed to speak with the king, and that he should be tried by his peers: for the performance of these two articles in particular, Henry Percy bound himself, under forfeiture of his estate, life, and limbs; as likewise to keep him in safety from all attempts against his person, till his destiny should be finally settled by the judgment of parliament.

The king no sooner heard of his favourite's being prisoner, than he sent in the most suppliant manner to the barons, requesting them not to do aught against his life; and to allow him, agreeable to the capitulation, to have an interview. This was what the party above all things thought themselves interested to prevent, not doubting but the king would find some means to get him out of their hands. They accordingly entered into concert to end all their apprehensions from Gaveston's influence over the king, and to gratify their private resentments, by putting that nobleman to death while they had him in their power. The earl of Pembroke taking charge of the prisoner, proposed to conduct him to Wallingford castle, which belonged to Gaveston as earl of Cornwall; but stopped at Dedington, in Oxfordshire, where he left him under a guard, on pretence of passing a night with his wife, who was in the neighbourhood.

Guy, earl of Warwick, having notice given him of this disposition, got together a strong force, and surrounding the house where Gaveston was lodged, took him out of the custody of his keepers, and carried him to his own castle of Warwick, where the earls of Lancaster, Hereford, and Arundel were assembled. Here a sham trial was set on foot, and Gaveston adjudged to die, as an enemy to the public; he was then removed to a place called Blacklow Hill (now Gaverfike), about a mile out of Warwick, and there his head was severed from his body, by an executioner who had been previously provided for the bloody purpose.

Such was the end of Piers Gaveston, who, having enjoyed his prince's favour in an higher degree than was scarce ever known in any other instance, fell at last a victim to his own vanity, insolence, and avarice; having so much incensed the nobility by his arrogant treatment of them, and the people by the ill use he made of his master's favour, that his death was attended with public rejoicings, as if the state had met with some signal deliverance. Nevertheless, the more dispassionate and judicious part of the nation could not without horror behold a re-

formation that began in blood and perjury; and, however laudable the designs of the barons might have been in the commencement, certain it is, that this last act remains altogether inexcusable; for admitting the reality of Gaveston's guilt, which is not to be denied, yet it would have been more consistent with that honour and integrity to which his opposers laid claim, and have given the people a more favourable idea of their justice, had they brought him to a fair trial, and made his death the legal consequence of a just condemnation.

The king had left York immediately after Gaveston's capitulation, and advanced as far north as Berwick, where he was surprized with the news of his favourite's death. Inflamed with the most implacable resentment against the perpetrators of this bloody deed, he immediately set out for London, resolved to revenge such a flagrant insult upon the royal authority; but he soon found it was not in his power to indulge this disposition; and the barons, now adding insolence to injustice and murder, sent a message to the king, requiring him to confirm and put in execution the late ordinances: a demand to which Edward, after the shock they had just given to his nature, did not deign to return an answer; whereupon they drew together their army, and advanced as far as Dunstable, in their way to London, determined to obtain that by force, which they plainly saw he would never be brought to grant them by application. The king, upon advice of their motions, thought proper to retire to Canterbury, not chusing to trust the Londoners; from thence he sent a message to the confederate lords, commanding them to attend him at London, or Westminster, after the feast of St. Michael, then and there to treat of matters relating to the state, and the reforming the ordinances; at the same time he forbid every one of them, "by the faith and homage they owed him, to approach with horse and arms any nearer to London, under pain of treason."

Opposition was now degenerating fast into rebellion: the lords, suspecting that Edward could never be sincere, while the death of his favourite was unrevenge, sought impunity from one degree of guilt in another, and peremptorily refused to lay down their arms. Edward, in this extremity had recourse to the mediation of two nuncios of the pope, and of Lewis, count of Evreux, a prince of the royal blood of France, who happened to be then in England: these, with the young earl of Gloucester, and his father-in-law, the lord Mounthermer, laboured so heartily between both parties, that at length certain articles were agreed upon, to the mutual satisfaction of the king and the barons, the latter of whom promised to restore the jewels and other treasures belonging to Gaveston, which had fallen into their hands; to ask the king pardon publicly, and to make an open declaration, that in all their proceedings they had never entertained the most distant design against the royal person or dignity; and that their sole aim had been to procure a redress of grievances, and the removal of evil counsellors from about the person of their sovereign. The king promised, on his part, to grant a general pardon to them, and all their adherents, reserving a power to grant the like to those who favoured Gaveston's return from his exile, contrary to the sentence denounced against such, by the ordinances. At the same time he restored the estates of

of the lord Henry Percy, which he had seized into his hands upon the death of Gaveston, and acquitted that nobleman from the farther penalties he was subjected to, by the bond into which he had entered for the earl of Cornwall's safety.

This treaty, which restored peace for a while to the kingdom, was finally concluded and ratified in the month of December, 1312: and on the thirteenth of the preceding month, Edward had the satisfaction of seeing his queen delivered of his eldest son, afterwards the famous Edward III.

During the course of this year, king Robert Bruce, whose party was daily increasing in Scotland, took advantage of the domestic troubles in which England was engaged, to carry the war out of his own country into those on this side of the Tweed; and, after having ravaged most part of the northern frontiers, taken the city of Durham, and obliged the inhabitants of that bishopric to purchase a partial truce for the sum of two thousand pounds, he returned, about the middle of October, into Scotland, with an immense booty in money, effects, prisoners, and hostages: he likewise attempted to surprize the town of Berwick by scaling the walls, but being discovered by the barking of a dog, the assailants were obliged to retire with loss. He proved more successful in his attack on Perth, which he reduced, and ordered all the Scots found therein to be hanged; but to the English he gave not only their lives, but liberty to return to their own country.

Thus ended the year 1312 in both kingdoms: Bruce remained covered with glory and success; Edward, to his infinite mortification, saw his power circumscribed both at home and abroad, without being able to prevent it. This latter, however, terrified at the rapid progress of Bruce's arms, listened to a proposal made by the French king, in the beginning of the year 1313, for bringing about a treaty between the Scots and the English; and, in order to confer more particularly about these matters, as also satisfy a desire he had to be present at the knighting and coronation of his queen's brother, Lewis, king of Navarre, Edward set out for Paris, together with his royal consort, in the month of May, after having appointed the bishop of Bath and Wells (and not the earl of Gloucester, as some historians erroneously have it) guardian of the kingdom during his absence.

Edward was received at the court of France with the greatest distinction and cordiality; and the various amusements he found there made him spend a longer time in Paris than he at first intended. After the ceremony of the coronation and knighting was over, king Philip and his three sons took the cross; and their example was soon followed by Edward himself, with numbers of the English nobility: in a word, a most intimate union seems now to have been cemented between the two courts.

About the middle of July the king returned to England, and writs were issued for the meeting of a parliament at Westminster, on the twenty-third of September, in order to confirm the act of amnesty granted the preceding year to those concerned in the death of Gaveston, and the insurrection previous thereto. The proper instruments for that purpose being made out, the royal signet was put,

on the fifteenth of October, to particular pardons for the earls of Lancaster, Hereford, and Warwick, and about five hundred of their adherents by name; and an ordinance was issued, by assent of the barons, declaring it to be part of the royal prerogative to forbid all persons from coming to parliament in arms. An act of grace was also published in favour of all the friends of Gaveston, who had counselled or assisted him at or in his return from exile*.

The publication of these general pardons having at length quietted all animosities, the parliament granted the king a considerable subsidy towards a vigorous prosecution of the war with Scotland. This was indeed greatly wanted, for Bruce, taking advantage of the divisions in the English government, had made himself master of the important fortresses of Roxburgh and Edinburgh, and of the Isle of Man: in short, his successes at this time were such, that the English found themselves now stripped of all the places they possessed in Scotland, except Berwick, Dunbar, and Stirling. The Scots who still adhered to the English, being so hard pressed by the Brucean party, had deputed Patrick, earl of March, and Adam Gordon, to represent their distress and solicit immediate assistance. They arrived at a lucky season; Edward and his parliament were now upon such good terms, that the deputies were sent back with assurances that, by the feast of St. John next following, he would be at Berwick with a numerous and well disciplined army, to take the field against the enemy.

Edward was as good as his word, for he immediately issued summons to all the military tenants, sheriffs, and other officers in England, to repair with their whole forces to Berwick upon Tweed, before the eleventh of June following: the like writs were sent to all the military tenants of Ireland, the earl of Ulster being appointed their general, and the earl of Pembroke guardian of Scotland.

About this time the two d'Espensers, afterwards so famous in English story, began to grow into great credit with the king; the younger of these especially seemed on the eve of succeeding Gaveston both in power and insolence. This gave great umbrage to the opposing lords, for such they still seem to have remained, notwithstanding the late outward reconciliation; and fearful of trusting themselves in the power of the king and his new favourite, with a numerous army at their devotion, they positively declined giving their attendance in the Scottish expedition.

In the month of January, 1314, a parliament was assembled, in order to examine the ordinances, many of which appeared so injurious to the crown, that the assembly, in which the king's friends now bore a large majority, rejected them as subversive of the constitution. It was upon this account, according to some historians, that the earl of Lancaster, and the other associated barons, refused to attend the king in his northern progress. The latter, however, having received advice that the Scots had fallen into Cumberland, where they had committed violent depredations; as also that Edward, brother to Robert Bruce, had formed the

* Before the parliament broke up, the barons publicly asked pardon of the king in Westminster-hall, before all the people, in terms the most submissive, acknowledging the par-

don he granted them to be the pure effect of his clemency. Walsingham.

siege of Stirling castle, the most important fortrefs left in the possession of the English, he set out sooner than he intended, and making new levies in every place through which he passed, he, on his arrival at Berwick in the beginning of June, found himself at the head of a finer army than had been ever seen in England: he began his march for Scotland with no less than one hundred thousand men, attended by a prodigious number of waggons and other carriages, laden with baggage and provisions. The English, vain of the superiority of their numbers, held it criminal to doubt of success; they already beheld their enemy vanquished; not susceptible of fear, they despised precautions, and advanced rather as if they were going to celebrate than contend a victory.

The crafty Bruce suffered them to advance without molestation. He had secured an advantageous post in the neighbourhood of Stirling, where he waited for the English to attack him, which, whenever they did, he knew must be to their own loss, from the manner and situation of his camp, which was bounded on one side by a morass, and on the other by a steep hill, so that his flanks were perfectly secured from all danger of an attack: in the front of his camp ran a small rivulet, called Bannock-burn (from which the action of the day received its name); the banks of this stream were lined with sharp stakes driven in after the manner of pallisades, and the bed or channel of the water was filled with the same instruments, in order to lame the English horse if they should attempt to pass it. Several pits were also dug in different parts round the camp, in which those wooden stakes were also placed, with the sharp points upwards, and concealed by turff or sod, that the enemy, in riding full speed, might fall into them unawares, and thus be disabled from making farther resistance.

The van of the English army, commanded by the earls of Gloucester and Hereford, was now in sight of Stirling and the Scottish camp, when a gallant knight, sir Richard de Bohun, descrying a party of the enemy at one of the extremities of a neighbouring wood, rode up full speed at the head of a party of Welsh horse to engage them, but quickly found himself drawn into an ambush by Robert Bruce, who now issuing out of the wood in person, rode up to Bohun, and cleft his scull with a battle-ax. The English horse riding up to relieve this party, found themselves in a most miserable situation; hampered in the wooden toils of the enemy, they lay a defenceless and easy prey to the Scots, who broke in upon them with the most terrible and murderous fury; the earl of Gloucester was unhorsed, and the lord Clifford several times in danger of being cut off. As both parties received continual reinforcement from their respective armies, the engagement would in all probability have become general, had not night put an end to the conflict.

Early the next morning, the English troops were drawn out under arms and marshalled in the following order; the wings, composed of cavalry, were commanded by the earls of Gloucester and Hereford, and the king in person commanded the centre or main body. Bruce, on the other hand, drew up his men, who were almost all of them foot, in three lines, and a body of reserve, the center being commanded by himself, the right wing by

his brother Edward, the left by Randolph, and the corps de reserve by Douglas and the lord high-steward of Scotland.

When the English army was ready to engage, a dispute arose between the earls of Gloucester and Hereford, about the post of honour, and making the first charge, which the former claimed by custom, as having been always enjoyed by his ancestors; and the latter, as constable of England. This was certainly a very unseasonable time to enter into a contest of this nature, and the dispute proved very fatal in its consequences; for the earl of Gloucester, burning with all the heat and impetuosity of youth, broke out of the line, and attacked the body of Scots commanded by sir James Douglas: but his career was soon checked by the hidden pits and trenches, into which the horses fell, and were staked in the most terrible manner. The earl of Gloucester's horse being killed under him, he fell to the ground, from whence being unable to rise, through the weight of his armour, he was trodden to death: sir Giles de Argentun, a brave and experienced officer, advanced to his relief at the head of about fifty knights, assisted by Robert de Clifford, Payen de Tibetot, and William Mareschal, who all fell, surrounded by the enemy. It was, indeed, the height of madness to begin the attack upon the Scots with the cavalry, after the experience of the foregoing day; neither was this ever intended by the king, for he had given orders to a body of infantry to take a circuit round the morass on the right of the Scotch army, and to attack their main body in flank; and, during the confusion of the action there, the cavalry were to have forced the passage of the rivulet, and fallen sword in hand upon the already embarrassed enemy: all these prudent precautions were, however, overturned by the rashness of Gloucester, already related.

But that nobleman had hardly paid the forfeit of his imprudence and disregard to military discipline, when the English infantry, having made their prescribed circuit, fell with incredible fury upon the wing commanded by Randolph, and galled them so severely with repeated showers of arrows, that they began to give way. This might have determined the fortune of the day, had not Bruce's brother Edward, with the division under his command, and sir James Douglas, at the head of the body of reserve, made a sudden wheel, by which they fell in upon the English rear, and, taking them thus by surprise, put them into an irretrievable disorder, which was soon followed by a general rout, attended with prodigious slaughter.

Mean while the center commanded by Edward, marched on against the Scots, commanded by king Robert Bruce in person, who waited for him with great resolution on the opposite side of the rivulet. The English, who were already dispirited by the destruction of their wings, and the loss of their bravest officers, supported the charge but weakly; while Bruce, who fought in the front line of his army, acquitted himself with the most surprising valour. And now, on a sudden, the ears of the English were struck with a loud shout, and they perceived a body of people pouring down a neighbouring hill, in sight of the place of action, that were no other than the scutlers and followers of the Scottish camp, who, perceiving the advantage gained by sir James Douglas, in his part of the

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the army, were hasting to have a share of the plunder: the English, however, startled at their acclamations, and the numbers that appeared in motion, imagined they were succours coming to reinforce the enemy; and, on this supposition took themselves to flight with the utmost precipitation.

The active Bruce did not fail to improve their confusion into a complete victory on his part; the king of England, after making a most gallant defence, was obliged to retire, and, being closely pursued by the enemy, escaped with great difficulty to the castle of Dunbar, where he was hospitably received by earl Patrick, the old and faithful friend of his family.

This is the best account we are able to give of this fatal battle, which was fought on the twenty-fifth of June, 1314. Great numbers of the English were killed, as well in the pursuit as in the field; and the slaughter would have been still more general, had not the Scots turned their attention to plunder the baggage, rather than follow the enemy: it is said the booty made on this occasion amounted to near two hundred thousand pounds sterling. The chief of the prisoners were the earls of Hereford and Monthermer, the earl of Angus, the lords Henry Piercy, Neville, Scrope, Lacy, Acton, Giffard, Latimer, Segrave, Berkley, Beauchamp, with many other barons, to the number of two-and-twenty, with a prodigious number of knights and other gentlemen. Among the killed, besides the earl of Gloucester, were counted the lord Clifford, the lord Willyngton, lord Edmund Maule, &c. the number of noblemen, barons, knights, and bannerets, amounting to one hundred and fifty-four; and of the common men near twenty thousand: though the Scottish historians make the number of the former to be seven hundred, and that of the latter fifty thousand; a ridiculous exaggeration! They themselves lost four thousand of their best men, but few of any note besides William Vipont and Walter Rofs.

King Edward had scarce time to shut himself up in Dunbar castle, when sir James Douglas, at the head of four hundred horse, appeared in sight of the place; and though he could not entertain any hopes of reducing it, yet he continued hovering round the neighbourhood, in the supposition that Edward might attempt to make his escape to Berwick by land, in which case he had a chance to intercept him, and finish the war at one blow*. Edward, however, found means to get on board a small fishing-boat, and, trusting himself to the mercy of the winds and weather, got safely to Berwick, where he immediately began to prepare for the safety of the place.

Bruce distinguished himself after the victory no less by his humanity and generosity, than he had done by his bravery and generalship in the gaining it: he treated those whom he had made prisoners with the greatest tenderness; he sent the bodies of the earl of Gloucester and lord Clifford to the king of England; he dismissed the lord Monthermer, for whom he had a particular friendship, without ransom; to the slain he caused every decent rite to be performed; and those who survived were assured of liberty as soon as a cartel should be established, which was soon after done, and the earl of Hereford and other noblemen were exchanged

for Bruce's wife, his daughter and sister, Donald, earl of Marr, and the bishop of Glasgow, who had been in captivity in England ever since the defeat of the Scots at Methuen, in 1306.

Edward, having put the castle of Berwick in a proper state of defence, set out for York, to meet a parliament, which had been summoned to sit there on the sixteenth of August, to consult about the state of public affairs; but the barons, whether out of humour at the late public disaster, or from whatever other cause, instead of granting the king a subsidy for carrying on the Scottish war, which he now demanded of them, fell upon the subject of grievances, and presented a strong remonstrance concerning his non-observance of the ordinances, the partiality he shewed to his new favourites, the d'Espensers, and other foreigners, whose removal from the royal person and councils they insisted upon. Edward was obliged to give way to the times: Hugh d'Esperer was made to retire from court, as also the lord Beaumont, another person obnoxious to the parliament; and most of the great offices under the crown were now filled with persons nominated by the confederate barons.

While this parliament was sitting, Bruce, making a noble use of his success, sent to Edward, offering to come to an accommodation upon any reasonable terms, and desiring that he might be taken into favour and friendship. Upon this commissioners were appointed on both sides, to settle the conditions of a peace, and conferences were opened at Durham; but the Scottish deputies insisting, as a preliminary article, that king Robert Bruce's title, and the independency of the crown of Scotland, should be formally allowed by Edward, the latter, notwithstanding the reverse of fortune he had lately experienced, rejected this demand with indignation, and the conferences were immediately broken off.

The victorious Bruce, enraged at this obstinacy of the English court, sent his brother Edward and sir James Douglas, with a strong body of forces, to invade England by Berwick; and they, falling upon Northumberland, laid the bishopric of Durham under contribution; and, advancing into Yorkshire, burnt the towns of Appleby, Kirkwood, and other places: at the same time, another party of Scots entered England by Redesdale and Tweedale, where they not only subdued all the country round, but obliged the inhabitants to swear allegiance to king Robert Bruce.

Towards the latter end of this year Edward left York; and, as his nobles refused to grant him a supply, he was reduced to the disagreeable necessity of borrowing, at great disadvantage, several sums from foreign powers. Upon his return to Windsor, where he kept his Christmas, he caused Gaveston's body to be re-interred with great solemnity at Langley abbey, in Hertfordshire, with a grant of twenty pounds per annum to the monks, for praying for the soul of the deceased.

This year died Edward's father-in-law Philip le Bel, or the Fair, king of France, who had been the secret abettor and supporter of Bruce against the English, in whose weakness he looked upon his own safety chiefly to consist.

The year 1315 opened with a very melancholy prospect; the nation was not only disgraced in its

* Edward's danger, during his flight, was such, that he made a solemn vow to Heaven, if he escaped, to give a house

in Oxford to twenty-four Carmelite Friars divines. Walsingham.

arms abroad, but rent by domestic factions at home; and, to crown these calamities, the scourge of famine began to make itself severely felt. The parliament, who had assembled at Westminster on the twentieth of January, presented a petition to the king against monopolizers of provisions, as the cause of the reigning scarcity; and an order was published for settling the price of victuals, which the reader will find in the note*. This parliament seems to have met in better temper than the last, for we find, by the Public Acts, that they granted the king a twentieth part of their goods: the levying of this supply occasioned some disturbances in Staffordshire and Shropshire, which, however, were soon quieted.

Mean time the nation suffered greatly, not only from the famine, which raged in the most terrible manner, but also from the inroads of the Scots, who, taking advantage of the deep consternation into which the English were thrown by the fatal day of Bannock-burn, were continually falling upon and wasting the country bordering upon their kingdom: Bruce had also found means to engage the earl of Flanders to furnish him with a few ships, which, acting as privateers, distressed the English wherever they met them at sea, and even made several descents upon the defenceless parts of the coast. By land, the Scottish army taking the field early in the year, had entered the bishopric of Durham, and plundered the town of Hartlepool; and Bruce in person advanced to the siege of Carlisle, which, after furiously battering for twelve days, he was obliged to quit, through the gallant behaviour of the garrison, and that with such precipitation as to leave two of his generals in the hands of the English, who were commanded by the earl of Pembroke, Edward's lieutenant in the northern borders: nor were the Scots more successful in an attempt they made both by sea and land upon Berwick, being obliged to retire with some loss.

Edward all this while was taken up in settling some commotions that had happened in Wales, through the instigation of Llewellyn Biren, who, with his two sons, being taken prisoner at the head of the insurgents, that part of the country returned to its obedience. About this time also the earls of Lancaster, Richmond, Surry, and Hereford, were reconciled to Edward, and promised to take the field in person against the Scots. But Edward, about this time met with fresh uneasiness in a part from whence he least expected it.

The Irish had, for a considerable time, complained by repeated petitions of the hardships and oppressions they suffered from the English governor sent over to manage the affairs of their country; they had frequently applied to be admitted tenants of the king in capite, and to have their lands and possessions immediately under his protection, and in matters of judicature to be subject to his court only: but these petitions and demands had been continually rejected by the English court. At length the sufferings of this subjected nation being grown too grievous for longer bearing, they solicited the assistance of Robert Bruce, to deliver them from the English yoke, promising, in case

he should succeed in the attempt, to acknowledge him, or his brother Edward, for their lawful sovereign.

Bruce was too good a politician to reject a proposal of this kind, which afforded him so excellent an opportunity of giving a powerful diversion to the English arms, and establishing a connection between the people of Scotland and Ireland, who considered each other as having one common original. Accordingly, having consulted with his brother Edward and his principal nobles upon this subject, it was unanimously agreed that the latter should make a descent upon Ireland, and endeavour to separate that kingdom from the English government. This resolution was immediately put in execution with all the vigour and alacrity that the importance of the project demanded: Edward Bruce, at the head of an army of six thousand men, and a sufficient number of transports, landed in Ulster on the twenty-sixth day of May, in the year 1315, and was presently joined by great numbers of the natives, who flocked to his standard as a person who was come to deliver them from the most galling servitude: in a word, he soon found himself at the head of an army considerable enough to take and destroy Dundalk, to plunder Uryle, and to drive the English out of Ulster.

Sir Theobald de Verden had been made lord-justice of Ireland at the latter end of the preceding or beginning of this year. He was an active vigilant officer, and neglected nothing to check the progress of these unexpected invaders: he raised a considerable army, the command of which he gave to the earl of Ulster; but that nobleman meeting with the Scottish army near Colrairie, on the tenth of September, was totally defeated by Edward Bruce, who after this victory meeting with no opposition took the town of Carrick Fergus, received the submission of almost all the native Irish, and over-ran the whole county of Kildare, before the justiciary was able to meet him in the field. At length the two armies joined near Sketheries; but here the good star of Scotland again prevailed, and the justiciary's army was routed with great slaughter.

Edward all this time was not wanting in the duties of government: he neglected no measures that he thought conducive to the preservation of Ireland. He sent a commission to sir John Hotham, for raising money by the sale of wardships and marriages, belonging to the crown in that country, in order to raise troops against the enemy; he promised the most flattering encouragements to those who should signalize themselves in the defence of his government; and, to put the common people in a good humour, he sent orders to the justiciary, to remove all officers that had, either by their extortion or incapacity, given disgust in the posts they filled.

In the beginning of September this year, Edward was at Lincoln, where he issued a writ for expelling all the Flemings that were in the kingdom; and he sent orders to all the governors of the places belonging to him in France, to break off all intercourse with that people, because they were considered in the light of rebels to the king of

* The prices affixed to the several kinds of provision, by this act of parliament, were as follow: two pounds eight shillings, of our present money, for the best ox not fed with corn; if fed with corn, three pounds twelve shillings: a fat hog of two years old, ten shillings: a fat weather unthorn, a

crown; if shorn, three shillings and six pence: a fat goose, seven pence half-penny: a fat capon, six pence: a fat hen, three pence: two chickens, three pence: four pigeons, three pence: two dozen of eggs, three pence. Rot. Parl. 7 Ed. II. N. 35. 36. Ypod. Neust. p. 205.

France, with whom Edward was at this juncture on very good terms, and that they had, moreover, assisted the rebels in Scotland (as the English government affected to style them), with vessels, arms, and provisions.

Our English historians in general have been very quick-sighted to the failings, but blind to the real merits, of the unfortunate prince whose reign we are now describing: let posterity then learn, that he was strictly jealous of the commercial rights of his subjects. Notwithstanding the intimacy which subsisted between him and the king of France, he demanded justice of the latter, in a peremptory manner, against the inhabitants of Calais, who had seized four merchant ships belonging to the port of London, bound, under the king's licence, to Antwerp: and when the king of France proposed that a staple-port should be opened in France, for the disposal of English commodities, which was then looked upon as an advantageous offer, he would not take upon him to do any thing in it, till he had summoned a committee of merchants out of different parts of the kingdom, to consult with him and his parliament on that subject.

On the twenty-seventh of January, 1316, a parliament was summoned to meet at Lincoln; but, by reason of the absence of the earl of Lancaster and other great men, did not enter upon the business of state till the twelfth of February. The earl being then arrived, the reason of this parliament being convened was declared, and an aid being demanded by the king, for carrying on the war in Scotland, the assembly desired time to consider of it; in the mean while, the king, willing to omit nothing that could induce them cheerfully to comply with his request, did of his own accord issue writs for observing the ordinances of the prelates, earls, and barons, which he had formerly accepted, and the perambulations of the forests, which had been made in the time of his father. A few days after this was done, the parliament voted an extraordinary supply for carrying on the Scottish war †.

But famine, with all its train of horrors, desolated the land in the most dreadful manner: the dead were frequently devoured by the living; nor did the evil stop here, for the prison-doors were broke open, and the malefactors dragged forth to satisfy the ravenous appetite of the populace. Amidst such unprecedented calamity, Edward or his generals, could make but a feeble effort against the enemy: a treaty, therefore, was set on foot, for concluding a truce with the Scots: but the latter insisting on high terms, and Edward not being willing to make any concessions, the conferences ended without any effect.

About this time, Edward, willing to restore peace and harmony in his own kingdom, sought a perfect reconciliation with the earl of Lancaster and his party; the earl was made president of the king's council, and appointed commander in chief of all the forces acting or to act against the Scots.

Bruce thinking himself perfectly secure from any formidable efforts on the part of the English in their present circumstances, passed over to Ireland, in the month of April this year, with thirty thousand men, to complete the conquest of that kingdom. His brother Edward had all this time remained in entire security in Ulster: he had even assumed the title of king, and kept somewhat like the appearance of a court; and he was so much encouraged by the junction with Robert and his numerous forces, that he caused himself (with the consent, and at the desire of the other) to be solemnly crowned king of Ireland at Dundalk. And now no means, even those replete with the greatest cruelty (according to the majority of the Irish historians) were left untried, to drive out and extirpate all the English from that country; and the king of England saw himself on the point of having an island of the greatest importance to his crown wrested from him, without being able to send it the least relief. What he could, indeed, he did, by encouraging his party to persevere in their loyalty, by the best rewards he could bestow: the lord-justice was made earl of Carrick; and Fitz Gerald, a powerful knight in the English interest, earl of Kildare.

In the mean time, the Scots, assisted by the O'Neils, O'Connors, and other Irish chieftains, and their clans, advanced even to the gates of Dublin, in hopes to surprize that capital; but the citizens, who were prepared for their coming, gave them so gallant a reception, that they were forced to retire with considerable loss: in short, after some months spent in gaining very little advantage, and a dearth, attended by a mortality, having gotten into the Scottish army, Robert Bruce was obliged to relinquish his proposed conquest of Ireland, and, leaving his brother still master of Ulster, returned home, with not above a fourth of the army he had carried out with him, the rest having been destroyed by sickness and famine.

A little before the departure of the Scots, Edward of England had made shift to get together a body of forces, which he sent over, under the conduct of Roger Mortimer, afterwards the famous earl of Marche: at the same time taking advantage of Bruce's absence from his own dominions, he marched in person down to the borders, and actually entered Scotland; but being opposed by Douglas, one of Bruce's generals, to whom he had left the command of the army during his absence, Edward was obliged to retire, not without some loss. While Edward was in the North he revoked the sentence of banishment and prohibition of commerce, that had been issued against the Flemings, finding it had been attended with several inconveniences to his own subjects.

Early in the year 1317, two cardinals arrived in England, sent by the pope to mediate a peace between the kings of England and Scotland. It should seem that they undertook this office at Edward's desire, since he settled a pension upon each, in reward for the trouble they were at. Their ne-

† Every village, or hamlet, in the kingdom was ordered to furnish one stout soldier well armed and accoutred, and provided with subsistence for sixty days, at the end of which he was to be maintained at the expence of his majesty. Market towns were taxed at a higher rate in proportion to their size and ability; but with an express proviso, that this grant should not be made a precedent for the like demands for the future; and the towns, boroughs, and cities of the royal demesnes were exempted from the imposition. The king ordered all the mi-

litia of England to attend him at Newcastle by the ensuing Midsummer; and to support the charges of the projected expedition, the knights, citizens, and burgesses granted a fifteenth of their moveables. Pat. 10 Edw. II. Brevia in Scacc. 11 Edw. II.

The clergy in this parliament excused themselves from giving any aid, alledging the dearness of provisions as an excuse; and that, moreover, they could not make any grant without leave first obtained from the pope.

negotiations, however, were attended with very little success, as they refused in the first instance, to give Robert Bruce the title of king, which the other made the preliminary to every treaty: in a word, the Scot, on this occasion, shewed a sovereign contempt of the papal authority, and a becoming resolution in supporting his own dignity. The legates finding no likelihood of succeeding in the business they came about, published the sentence of excommunication against him and all his adherents, with an interdict on their lands and possessions: an expedient which had no visible effect to the prejudice of Robert's affairs.

This year affairs in England were in the greatest confusion; a family-dispute which had happened between the earls of Lancaster and Surry, and in which the king had sided with the latter, had so incensed the haughty Lancaster, that he flew to arms, and nothing could have hindered matters from breaking out into a cruel civil war, but the dread the nation was in of the power of the Scots, and the earnest labours of the queen and the two Romish legates (who were now returned from Scotland into England.) After several essays towards an accommodation, which had proved ineffectual, a meeting was held at Leicester, where it was at last happily effected, to the universal joy of the nation: Edward granted a pardon, without any restrictions, for all that had passed; and the king and earl embraced one another in token of a perfect reconciliation.

In a parliament held at Lincoln, on the next day after Trinity-sunday, 1318, a petition was presented to the king by the house, for the redress of grievances, and requesting a confirmation of the late ordinances, and the charter of liberties, which Edward promised to comply with, in order to gain time, but apparently without any design of keeping his word. The pope's legates took their leave during this session to return home, but not without having, during their stay here, made several attempts (though indeed without effect) to encroach upon the prerogative: in particular, they talked of a bull for taking away all pluralities, and reserving the vacant benefices to be filled up by the pope.

On the eighteenth of March this year, commissioners were appointed to treat with the Scot about a peace; but Bruce, who looked upon this only as a feint to amuse him, and check his designed operations, resolved to strike some important blow before the conferences should be opened. Accordingly, on the second of April, he went and sat down before Berwick, which he reduced, and re-annexed to the crown of Scotland. This success was followed by a multitude of others, in all the northern parts of England, where there was no one found who dared to make the least opposition to the Scots, who, after having satiated themselves with blood and plunder, returned home about the middle of July.

Edward finding all his schemes of humbling the barons defeated by the deplorable state of his affairs; he, therefore, set the best face on the matter, and, on the fifth of October, in a parliament held at York, agreed to confirm the ordinance; and consented to a provision, by which eight bishops, four earls, and as many barons should be appointed for his standing council; two of the first order, and one of each of the others to attend quarterly in their turns, to assist the king with

their advice in all his measures, during the intervals of parliament: the king also, in an interview he had with the earl of Lancaster, prevailed on that nobleman to be reconciled to the earl of Surry; so that matters seemed to be happily adjusted on all sides, and the nation promised itself some respite from the calamities of homebred feuds and dissensions. To increase the present measure of joy, the king, about this time, received the agreeable news, that the lord John Birmingham, general of the English forces in Ireland, had drawn the Scottish army there to an engagement, near Dundalk, in which the latter had been totally defeated, with the loss of three thousand men, and their general and nominal king, Edward Bruce, taken prisoner, who, being carried to the castle of Dundalk, was there, by Birmingham's orders, executed as a traitor to the king of England. Edward, upon this, made Birmingham earl of Lincoln, as a reward for his services.

This year Philip le Longue, king of France, pressed Edward to come in person to do homage for the territories he held in that country. Edward excused himself upon the unsettled state of his affairs at home: however, he ordered that homage to be performed by proxy; and at the same time made some very good regulations with regard to a trade with the Flemings. A treaty of marriage was also set on foot this year, between the prince of Wales (who was yet a child) and the daughter of the earl of Holland.

Edward, animated by the news of the victory, which had put an end to the Irish war, resolved to improve his good fortune by making an immediate irruption into Scotland. And in a parliament held at York, a little after Easter, 1319, a large subsidy was granted by the nobility, freeholders, cities, and boroughs; and the clergy in convocation voted a tenth of their revenues, having by this time obtained the pope's permission for so doing. A numerous army was then assembled, and Edward, putting himself at their head, entered Scotland about the middle of August, and immediately invested Berwick, both by sea and land. This place was defended by Bruce's son-in-law Stuart; Bruce himself knew the English to be too well posted for him to attack them with any hopes of success, and therefore contented himself with continuing his ravages in Yorkshire; in one of which incursions he was very near surprizing the person of Isabel, Edward's queen, who resided then at York, never dreaming that she was in danger from the Scots, whom she thought fully taken up with opposing the progress of her husband's arms. Edward continued to press the siege of Berwick with the utmost fury, and would, in all probability, have made himself master of the place, had it not been for the unfortunate defeat of an army of ten thousand men, under the archbishop of York, by Douglas, the Scottish general, on the twenty-first of September, 1319. In this engagement no less than five thousand English fell by the sword, or were drowned in the river Swale, which they were obliged to pass in their flight: among the slain were the mayor of York and a number of ecclesiastics who had taken up arms, and marched out with their diocesan.

The king, informed of this disaster, resolved to raise the siege of Berwick, and, by dividing his army into two bodies, endeavoured to prevent the retreat

retreat of the Scots, encumbered with plunder, into their own country: but Douglas, who was well acquainted with all the defiles and private passes, escaped Edward's utmost vigilance; and by the November following again entered the borders, depopulating and wasting all the places through which he passed.

Both parties were by this time heartily weary of the war: the Scots had nothing more to expect from their excursions upon the borders, where the inhabitants themselves could hardly find subsistence after the past ravages: Edward had seen more than one brave army wasted away in fruitless campaigns against an enemy, that, trusting in their knowledge of their country, had it in their option to offer or decline a battle, according as it appeared most for their advantage. In a word, both Scots and English now thought seriously of peace: conferences were opened between commissioners on both sides at Newcastle, on the sixth of December; and, after many debates, a truce for two years was finally concluded on the twenty-first of the same month. Edward now left the North, and returned to London, where he was shortly after to experience misfortunes of the most grievous kind.

The truce with Scotland was, by some of the English nobility, looked upon as a step injurious to the right and dignity of the crown; but, after the long experience which the king had of the difficulties attending the reduction of that people; and the little reliance he could place upon the service of the earl of Lancaster, and others of his great military tenants, who, on the least disgust, would absent themselves from the field*, he had no other way of saving the northern counties from desolation: besides, he was under a necessity of going abroad after Easter, at a time when campaigns are generally opened, in order to do homage to the crown of France for the duchy of Guienne and the county of Ponthieu, with which Philip would no longer dispense; and this voyage was incompatible with an expedition into Scotland.

In the beginning of January, 1320, Edward called a parliament, in order to settle, as was very necessary, the affairs of the realm before his departure; but nothing of moment appears to have been done in it, on account of the earl of Lancaster's absence, who, in contempt of repeated

summonses, refused to attend: however, the king, leaving Valence, earl of Pembroke, guardian of the realm during his absence, set sail, on the nineteenth of June, for France, where he staid no longer than was absolutely necessary for dispatching the business on which he went over; and having done the required homage for his French territories, he returned to England on the twenty-second of July, and presently issued summons for a parliament to meet at Westminster on the sixth of October, where all the great barons attended, except the earl of Lancaster, who sent Nicholas de Segrave and others as his proxies.

Several excellent regulations were passed in this parliament, relating to commercial differences with the king of France and the earl of Flanders: but there was one resolution, which, on account of its importance, must by no means be passed by. The Flemings had, for some years past, supplied the Scots with arms and provisions, notwithstanding all the remonstrances of the king against that practice; and all the treaties hitherto set on foot for making satisfaction for that insult, as also for several depredations upon the English at sea, had proved fruitless: it was resolved therefore, upon this occasion, by the prelates, earls, barons, and the rest of the nobility of the realm,

“That the king of England was LORD OF THE BRITISH SEAS: that all goods taken in those seas from the English, were to be reputed as taken within the realm, and ought to be enquired of, by the king's justices; and the suits about such depredations to be determined according to law and equity: that all ships and persons present at such depredations, and knowingly receiving the prize-goods, either in whole or in part, were to be charged and punished accordingly †.”

The Scots this year sent ambassadors to the pope, soliciting him to take off the interdict under which their king and kingdom lay, and to use his paternal influence with Edward for putting an end to this long and bloody war, which had so greatly desolated both countries. This memorable letter, written by the whole community of Scotland to his holiness, merits the perusal of every friend to liberty, and is the most striking portrait of the character of that nation under this reign; for which reasons I have given a few extracts from it, at the bottom of the page ‡.

* While the siege of Berwick was carrying on with such vigour as to promise its speedy reduction, the king happening to say that he would give the command of the castle, when taken, to Hugh d'Espenser; and that of the town to Roger Damary; several of the barons were so dissatisfied with this declaration, and especially the earl of Lancaster, that they withdrew from the siege, to the great disgust of the whole army, who branded them as traitors. Walsingham.

† Pat. 14 Ed. II. Rymer, vol. iii. p. 840, 841.

‡ After general assertions of their own importance and independency, they come to exclaim against the conduct of the first Edward, and proceed in the following words, which ought to have a place in history, while one sentiment of liberty has a place among mankind.

“From those innumerable evils (meaning those brought upon them by the first Edward) by the assistance of him who binds up and heals the wounded, are we delivered by our valiant prince, king, and lord, Robert, who, in delivering his people and inheritance out of the hands of their enemies, as another Maccabee, or Joshua, cheerfully underwent troubles, toils, hardships, and dangers; whom also divine Providence and the right of succession, according to our laws and customs, which we will maintain to the utmost, and due consent and assent of us all, have made our prince and king. To him, as the deliverer of the people, by preserving our liberties, we are bound to adhere, as well upon the account of his right, as by reason,

and to him we will adhere; but if he shall desist from what he has begun, and shew any inclination to subject us, or our kingdom, to the kingdom of England, or to the English, we will use our utmost endeavour to expel him immediately, as our enemy, and the subverter of his own and our rights; and we will make another king, who is able to defend us; for so long as a hundred Scotsmen remain alive, we will never be subjected any manner of way to the dominion of England.

“It is not for glory, riches, and honour we fight, but only for liberty, which no good man loses but with his life.

“Wherefore, reverend father and lord, we, with the greatest earnestness and humility, beseech you, that, with a sincere and pious disposition, considering that with him whose vicegerent you are on earth, there is no respect of person, nor distinction of Jew or Greek, or Scot or English, looking with a fatherly eye upon the straits and difficulties brought upon us, and the church of God, by the English, your holiness would be pleased to admonish the king of England (who should be content with what he possesses heretofore, of old England, used to suffice seven, or more kings), that he may not disturb our peace in this small country, lying in the utmost parts of the earth, and desiring nothing but what is our own; since we are willing, in order to procure a peace, to do most effectually whatever may be consistent with the constitution of our government.” Ex Autograph. Biblioth. Jured. Edinb. Anderson's Appendix, N. xi.

Unhappy is that nation, whose king, either from weakness, indolence, or a too great fondness for his pleasures, leaves the administration of public affairs wholly to his ministers, who, thinking themselves safe from his inspection, and free from all controul, are too apt to abuse their unlimited power to the gratification of their own passions, without any regard to the honour or interest of their master, or the good of his people. Edward was born to be the dupe of favourites; and sure to be always governed, the chief contest among his great men was, who should have the government of him. He was at this time in the hands of the two *d'Espensers* (or *Spensers*), father and son. The former of these was a man of great courage, prudence, and integrity, and had attained the great age of ninety with an un sullied character; if he had a fault, it was his blind attachment to his son, who equalled *Gaveston* in all the graceful accomplishments of a court, but much exceeded him in the qualities of a statesman; but an insatiable ambition tarnished all his virtues, and brought destruction upon himself, his family, and sovereign. *Lancaster*, ever jealous of those about the king's person, had first introduced the younger *Spenser* to court, in the office of chamberlain, that he might serve as a spy upon the king's actions: this alone was sufficient to give Edward a great aversion to him; but the young man, by the most insinuating address, removed by degrees the ill impression his master had conceived against him, whose dislike became now converted into a weak fondness.

No sooner had he insured the affections of his master, than, giddy with prosperity, he forgot every prudent precaution; and mindless of the fate of his predecessor, he trod in his very steps. He treated the great men of the kingdom with that insolence and contempt, as quickly to raise himself a number of formidable enemies. The first in power and resentment was *Lancaster*; who, not bearing to find himself thus over-reached by the creature of his own creation, left no means untried to engage the rest of the nobles in a confederacy to dash him from that pinnacle of greatness to which they had unwillingly raised him. Unfortunately for the favourite, he gave them but too good an occasion, too specious a pretext to gratify their resentments. One *William de Brause* proposing to sell a barony he held in Wales, called *Gowerland*, first agreed for it with the earl of *Hereford*, who offered to be the purchaser; but the younger *Spenser*, who had a desire for the lands in question, which were holden of the king in capite, and unalienable without his consent, prevailed on his easy master to grant him the refusal, and they purchased it of the original owner out of the earl of *Hereford's* hands; who, being highly provoked at this affront, complained to the earl of *Lancaster*: and they two engaging a great number of the barons in their interests, began to cabal publicly against the favourite. The king was early apprized of their designs; for, on the thirtieth of January, 1321, he directed a writ to the several lords concerned, to discontinue their meetings and preserve the public peace. This mandate, however, produced a very different effect from what was intended by it; for the confederate lords, finding themselves discovered, threw off all restraint, and entered into an association, by oath, to take up arms, which were not to be laid down till they had brought the two *Spensers* to

justice, as enemies to the public, and engrossers of the royal favour.

By the third of May the whole confederacy, the earl of *Lancaster* excepted, was in arms to a considerable number; and, falling upon the estates of the two *Spensers*, they committed the most shameful excesses: after this, being joined by lord *Umfreville*, earl of *Angus* (a Scottish title) they marched to *Sherborn* castle, in *Dorsetshire*, where the earl of *Lancaster* resided, and there all of them entered into a new and solemn confederacy, in which that nobleman then became a party. The names and qualities of those who signed and sealed this second association were as follow, besides the earl of *Lancaster*: the archbishop of *York*, the bishops of *Durham* and *Carlisle*, the earl of *Hereford*, the earl of *Angus*, the two *Mortimers* uncle and nephew, *Hugh de Audeley* the father and son, *Roger Damarey*, *John Mowbray*, *Maurice de Becheley*, *Roger de Clifford*, *Henry de Teys*, *John Giffard*, *John Mauduet*, *Gilbert Talbot*, lords of the *Marches* (of *Wales*); *Robert de Holland*, *Fulk de l'Estrange*, *Stephen de Segrave*, *William de Latimer*, *John Davery*, *John de Harrington*, *Adam de Swimmington*, *William de Ryme*, *Marmaduke de Twaney*, *Richard Walleys*, *Robert Pierpoint*, *Ranulph Dacres*, *Edmund Deigincourt*, *Thomas Wisely*, *William de Pennington*, *Ralph de Neville*, *Giles de Trompion*, *John de Baker*, *Adam de Hodeleston*, *Michael de Haverington*, *Adam de Everingham*, *William Trussel*, *Robert de Rygate*, *Robert de Richer*, *John de Clifford*, *Henry de Bradbourne*, *Nicholas de Langford*, *John de Breknorth*, *Thomas Wycher*, *John de Cliff*, *Thomas de Longuevilliers*, *Edmund de Neville*, and *Jocelin de Ville*; these all binding themselves to continue together, and mutually assist each other in prosecuting the two *Spensers* till they were either delivered into their hands, or sent into exile.

The lords of the *Marches* had no exception to *Hugh Spenser* the elder, but the earl of *Lancaster* having long borne him an hatred, thought this a favourable opportunity to involve him in the ruin of his son, and therefore prevailed on the rest to join him in the prosecution: and accordingly from this time we find the father always joined with the son in all the charges, invectives, remonstrances, and other methods which the confederate barons used to inflame the minds of the populace, and gain them over to their party. The younger *Spenser* had, indeed, like most favourites, carried himself too haughtily in his place; but we do not find that either himself or father had, in act or counsel, been the authors of any oppression to the subject; and however the barons might have been ill used as individuals, yet it is certain that the methods of revenge they had recourse to, were inconsistent with law and equity; and the damages they did, infinitely exceeded the provocations they had received. The havock they made in the younger *Spenser's* estates could not be repaired for twenty thousand pounds; and the mischief done to the parks, houses, and goods of the father, amounted to the value of forty thousand: to this we may add the sufferings of the poor people, the tenants of these two noblemen, upon whom the followers of the barons lived at free quarter, and oppressed in the most miserable manner. Indeed the king's answer to their petition, or rather insolent demand, for banishing the *Spensers*, and passing an indemnity for

for themselves, which they sent to him from St. Alban's, immediately after signing the above association, is the best comment upon their motives and proceedings: he told them, "that the elder Spenser was beyond sea, in his service; and that the younger was at sea, guarding the Cinque Ports, according to his office: that both law and usage required, that no sentence should be given for their banishment before they had an opportunity of answering for themselves, which they were ready to do, if charged with the breach of any law or statute: lastly, that the oath he had taken at his coronation would not allow him to pardon rebels and disturbers of the public peace."

The barons, upon receipt of this answer, marched directly to London, and took up their quarters in the suburbs about Clerkenwell and Holborn. The king, alarmed for his own safety, upon this hostile appearance, summoned a parliament, which met on the fifteenth of July. Thither the lords came, but with such a train of armed followers as if they were determined to seize all those who should oppose their designs, not excepting the king himself, and presented an instrument ready drawn up, containing articles of impeachment against the two Spensers*, and condemning them to banishment for ever, unless recalled by the king and parliament, and their estates to be forfeited. Whatever endeavours the king used to oppose these violent proceedings, he found himself forced to give way to a torrent which he could no longer withstand: accordingly this iniquitous sentence received the sanction of the parliament and the royal authority. Then the barons, owning that what they had done was illegal (though intended for the good of the king and kingdom) desired a pardon for their own security, which was granted, on the nineteenth of August, in the fullest manner, "for all murders, depredations, treasons, and offences whatsoever, by them committed from the first of March to that day †." The barons, after this, returned to their homes, but still kept themselves on their guard. The Spensers being declared enemies of the kingdom, if seen in it after the twentieth of August, Hugh, the father, continued abroad ‡; and the son kept the sea, with a fleet of ships he had under his command, hovering off the coasts, and taking several rich prizes of merchant-vessels.

Perhaps Edward, circumstanced as he was, might have sat down quiet under this encroachment upon his prerogative, had not his resentment been roused by a fresh insult, not to be borne, not only by a king, but by a private individual of the least spark of honour. The queen having undertaken a journey of devotion to Canterbury, in her progress sent some of her domestics before, to demand lodging for a night in Ledes castle, in Kent, belonging to Bartholomew de Badlesmere, one of the associated barons: when the queen's messenger came thither, he received a flat denial from the wife and servants of Badlesmere, who told him, that, without their lord's orders, who was absent, they would admit no stranger within the walls. The queen would not give credit to this message when reported to her, but went in person to de-

mand admittance, which was again peremptorily refused; and, though it was now dark and late, she was obliged to seek another lodging that night. Such brutal treatment could not fail to rouse all the resentment of a prince's like Isabella, naturally haughty and revengeful: she threw the blame upon the whole body of the association, and spared no arguments to persuade Edward, that the late insult was only a prelude to farther calamities to himself and family. She represented to him, that the present juncture was the most favourable he could wish, to free himself from the power of the barons, who would be struck with terror, and unable to stand upon their defence, when they should see him, sword in hand, ready to punish the insolence and disloyalty of one of their party. Edward heard, and approved her counsel: he immediately levied an army, and invested the castle of Ledes, the garrison of which, after an obstinate defence, was starved into a surrender; when Thomas Culpepper, the governor, was put to death, with several others of Badlesmere's servants, and the women all sent prisoners to the Tower.

This seasonable act of severity and justice would have met with the approbation of every friend to their king and constitution, had it not been followed by another which turned the stream of popularity, then flowing strong in favour of the court, wholly against it. Edward, whose weak mind was apt to be over-elated with a little trifling success, thought he saw opposition now gasping at his feet, and that he might, uncontrouled, follow the bent of his own inclinations. According to our best historians, he at this time gave encouragement to the younger Spenser to return to England, which he accordingly did, and applied, by petition, for a repeal of his banishment. Edward, to keep appearances, ordered him to be committed to prison till he should be cleared by due course of law, as at present he stood, in the eye of the law and government, in the light of a person impeached; but at the same time he applied secretly to the archbishop of Canterbury, and his clergy, with mighty promises, if they would reverse the sentence against his favourite: accordingly the sentence was, in a synod held at Lambeth, declared erroneous, because obtained without the concurrence of the lords spiritual, and by force of arms.

The lords-marchers no sooner heard of the actual return of the younger Spenser, and that his father was expected quickly to follow him, than they began to hold meetings, in order to consult how they might best punish the arrogance and presumption of the favourite and the double dealing of the king, who had so soon broke the late statute. Edward, on his side, apprized of these assemblies, wrote to the earl of Lancaster, the soul of the party, complaining, "that the proceeding of him and the rest of the nobles was a direct usurpation of the royal authority; since (says he) a reformation of grievances, and the holding conferences on the affairs of the kingdom, belong to the king and no other." Another writ, by way of manifesto, was also published on the eighth of December, this year, in which Edward made a very plausible apology for his conduct: he says, "that, agreeable to Magna

* The articles exhibited against them are too long to be inserted here; but may be seen at length in Tyrrel and Brady.

† Matt. Westmin. contin. Rymer, vol. iii. p. 830.

‡ He had been sent by Edward, about a year and a half

before, to the court of Rome, to complain to the pope of the encouragement that his enemies, the Scots, met with from the holy see.

Charta, he was obliged to receive the petition of the Spenfers, since by that charter he was obliged to deny or defer justice to no man; and orders, that no harm be done to the Spenfers throughout the land for the space of one year, during which time he had granted them letters of safe-conduct."

But all Edward's precautions, and the mild and equitable measures he affected to pursue, could not prevail upon the barons to lay down their arms; upon which the king ordered all his military tenants to attend him early in the year 1322; and he himself, about the beginning of February, marched to Shrewsbury, where he received advice that the earl of Hereford, with the two Mortimers and others of their party, had taken and burnt the town of Bridgenorth, together with the castles of Elermede and Henley: soon after they surprized the castle and city of Gloucester. The royal army, however, was by this time complete, and amounted to thirty thousand men; the king's party was also strengthened by the coming in of the earls of Kent, Richmond, Pembroke, Arundel, Norfolk, Surry, Angus, Robert de Ewer, Fulk Fitz Warrenne, and several other barons, who, disgusted at the ambition and implacability of the confederacy, that had now exceeded every limit of just opposition, resolved to support the rights and dignity of the crown, as the fountain from which themselves derived their honours, and to compel the association to hearken to reason.

Lancaster, finding his party extremely weakened by this defection, had recourse to an expedient, which will for ever bear hard upon his memory; and is an instance of the inconsistency of human projects, even in the greatest men. The patriotic Lancaster, who had taken up arms only for the defence of the rights and privileges of his country, and the liberty and independence of the crown, now sought to subject both to the encroachments of a foreign power, nay, of a person whom himself, as a member of the great council of the nation, had declared a rebel, and against whom he had actually been in arms: in a word, he resolved to strengthen himself by an alliance with the king of Scotland, and accordingly sent John de Mowbray and Roger de Clifford to conclude a formal treaty with that monarch. By this convention Bruce engaged, on his part, "to assist Lancaster and his party, either in person, or by some of his best generals, at the head of an army, against all their enemies, and to live and die in their quarrel; and the earl and associated lords promised never to assist the crown of England against the Scot, but to use all their endeavours that Robert should be left in quiet possession of the crown of Scotland, his title to which they and theirs would recognize and maintain."

Elated with this treaty, and the hopes of a speedy assistance from their new ally, the earl of Hereford, and the forces that followed him and other lords from the Marches of Wales, and a reinforcement under the earl of Lancaster, invested the royal castle of Tickhill and pushed the siege for three weeks, till they were obliged to raise it by the king's advancing to its relief; and both earls, drawing their forces together, posted themselves at Burton upon Trent, to hinder his passing over that river.

The king had caused proclamation to be made, that all engaged in the barons party should be pardoned, provided they came in by a certain day,

after which they were to be considered as traitors and rebels: and now, to try whether the lords would still continue to oppose him, he sent a party to seize the bridge over the river. This was attempted for three days successively, but they always fell upon the king's troops, and obliged them to retire: at length, however, the king passed with his army at a ford, and advanced to attack the enemy.

Lancaster, whether through fear of the king's superior force, or scruple of conscience to lift his sword against his sovereign; or, lastly, which is most probable, desirous of waiting for the supplies from Scotland, retired at the king's approach, and directed his route towards Boroughbridge, in order to get nearer the Scottish borders; but here he found himself hemmed in between the royal army and a large body of forces under the command of sir Andrew Harcla and Simon Ward, governors of York and Carlisle, who, having heard of his retreat, and suspecting his design had posted themselves, with a body of men, to oppose his passage over the river Eure. These vigilant officers had deterred the Scots from advancing, though they were actually assembled upon their own borders, under the command of sir James Douglas and the steward of Scotland; so that now Lancaster found himself under the melancholy necessity of either delivering himself up to the king's generals, or venturing a battle. He chose the latter; and, without loss of time, ordered the bridge over the river to be attacked; but the vigorous resistance of the royalists, the death of the earl of Hereford, slain in the beginning of the action, and the dread of being surprized by the king's army, which was hourly advancing, so daunted the barons troops, that they soon took to flight, and dispersed themselves about the country; the earl of Lancaster himself retired to Boroughbridge, where he surrendered himself next day to Harcla, together with the chief lords of his party, and they were all sent to York, at which place the king then was, who ordered them to be capitally proceeded against in due course of law.

The earl of Lancaster, indeed, was reserved to be tried by the peers of Edward's court; and, being carried to Pomfret for that purpose, was, on the twenty-second of March, arraigned in the great hall, before the king himself in judgment, assisted by the earls of Richmond, Pembroke, Arundel, Surry, Athol, and Angus. The facts alleged against him were notorious; the earl had been taken in actual war against his king; add to this, that an indenture or copy of his agreement with the king of Scotland was produced in open court against him. That indenture had been found in the pocket of the earl of Hereford, when slain at the fight of Boroughbridge. Upon these and other proofs he was adjudged to be hanged, drawn, and quartered, as a traitor; but, in consideration of his being a prince of the blood royal, his sentence was changed into simple decapitation. As soon as the sentence was passed on him, he was carried out of Pomfret town, mounted on a lean jade without a bridle, and a hood upon his head, to a hill about a mile from the town, and being made to turn towards Scotland, had his head struck off by a Londoner.

Such was the end of Thomas, earl of Lancaster, who, as he greatly resembled Simon Montfort, earl of Leicester, in his conduct through life, so he did in his untimely end. Both of them concurred

curred in the same view, that of reducing the over-grown power of the crown; both of them suffered their passions to hurry them into unjust and even traitorous measures, to compass their end; leaving this remarkable lesson to posterity, that, in every opposition, the chiefs, if they would preserve their honour and reputation, must be unaffected by private animosities, or personal pique, and have only the interest of their country at heart: this will secure them from running into any unconstitutional practices to raise or support a party; truth will be their herald, and enlist under their banners every patriot and upright citizen: whereas a conduct the reverse of this, though it may for a while dazzle the understandings of the weak and the ambitious, must in the end turn to their own disgrace, and these colossuses of anarchy and misrule will fall the unpitied victims of their own rash measures.

The execution of the earl of Lancaster was followed by that of many more of his party, in different parts of the kingdom; in short, the proceedings on this occasion were so sanguine as to excite the universal clamour of the nation; the two Spensers were in general loaded with the odium, and the nobility conceived that desire of revenge, which was but too fully gratified in the end.

About three weeks after Easter, Edward held a parliament at York, wherein the process against the two Spensers was annulled, and their banishment revoked: the elder, who was now returned home, was created earl of Winchester; and Andrew de Harcla was rewarded, for his services at Boroughbridge, with the earldom of Carlisle, and a pension of one thousand marks per annum. In this same parliament also the late ordinances were cancelled, as illegal and derogatory to the royal prerogative.

The truce had for some time been expired with the Scots, and mutual acts of hostility had been exercised between the two nations. Edward, now finding himself at leisure from domestic troubles, resolved upon an expedition into Scotland. With this view he ordered all his military tenants to rendezvous at Newcastle, by the twenty-fourth day of July; and the parliament, who was favourable to all the king's views granted a supply for defraying the charge of the undertaking. Edward, having taken the field, penetrated as far as Edinburgh without opposition; but his fleet, which was to attend his motions, being detained by contrary winds, his army began to suffer greatly for want of provisions, upon which he was obliged to turn back and march homewards. But the ever-watchful Bruce now fell unexpectedly upon his rear, and a general engagement ensued, near Byeland abbey, wherein the king of England was defeated, and narrowly escaped to York, with the loss of all his furniture, plate, and money, which fell into the enemies hands, as did also John, duke of Brittany (earl of Richmond in England), and the town and castle of Norham. Flushed with this success, the Scots set fire to the town of Rippon, raised contributions in Beverley, wasted the whole North Riding of Yorkshire, and even insulted Edward under the walls of that city.

In the beginning of the year 1323, Edward discovered a very dangerous connection that subsisted between Harcla, the new-created earl of Carlisle, and his enemies, the Scots; whereupon the earl was brought to his trial, about the end of February,

before sir Ralph Basset, sir John Peachy, sir John Wisham, and Geoffrey Scroop; and it being proved, "that, without the king's knowledge or consent, he had entered into a treaty with Robert Bruce, whom, and his heirs, by oath and writ, the said earl obliged himself to maintain on the throne of Scotland; that he was to name six persons, and Bruce other six, who were to be vested with full and irrevocable powers, to settle the affairs of both kingdoms; and that he had made the people swear to the observance of the same;" he was sentenced to be degraded from his knighthood and the earldom of Carlisle, his head to be cut off, and his four quarters to be sent to as many different cities in the kingdom. These examples of rigour, though in themselves absolutely necessary, were, by the vulgar, construed as acts of oppression and blood-thirstiness, dictated by the malice and revenge of the Spensers.

Edward, desirous that his kingdom might have some respite from the calamities of Scottish invasions, listened to overtures of peace between the two nations, made by Henry de Sully, the ambassador from the court of France; and, about Midsummer this year, a truce was agreed upon for thirteen years. By the articles of this truce it was agreed, that a free commerce should be open between the two nations, but no other correspondence without a licence from the conservators of the truce: that no new castles should be built upon the borders, nor any old fortresses repaired: and lastly, that the truce should remain in force, though the king of England or lord Robert Bruce should die in the interim." No other transaction of note remains to be recorded in this year.

The year 1324 was ushered in by complaints from the court of France. Philip V. (surnamed le Longue) king of France, was now dead, and his brother, Charles le Bel (or the Handsome), who succeeded him on the throne, had sent to summon Edward to come and do him homage for his estates in France; but the Spensers, who now governed the king entirely, had prevailed on him to neglect the summons. Upon this Charles had seized some of the castles in Guienne into his hands, which produced some altercation between the French and Fulk le Strange, an ancient and approved servant of Edward. The matter now became serious, and Charles insisted peremptorily that Edward should do the duty of a vassal, by a certain day, at Amiens in France; or, in case of refusal, that his duchy of Guienne should be confiscated. In this dilemma, Edward determined to take the advice of his parliament, which was assembled at Westminster, in the beginning of Lent this year; and, after a mature consideration of the case, it was the unanimous opinion of the assembly, that the king should not go abroad in person, but send ambassadors to desire that the homage might be put off to a farther day.

Edward imagined, that by taking off the earl of Lancaster he had given the final blow to opposition; but herein he found himself greatly deceived, for the queen, who had began now to be more jealous of the Spensers than ever she had been of Gaveston, openly countenanced those who had been concerned in the late rebellion. This encouraged many of them to form a design for releasing their associates who were confined in different parts of the kingdom; but their attempts in general proved destructive

destructive to themselves. The younger Mortimer was obliged to fly for safety over to France, where, through the interest of Edward's queen, he was well received. The Spensers, who now found they had every thing to fear from the resentment and active disposition of the queen, resolved to deprive her of one of her principal supports, in the person of Adam Orleton, bishop of Hereford, who was, in this parliament, impeached of high-treason, "for having associated with Roger de Mortimer, of Wigmore, then reputed a rebel and enemy to his king and country; and that he, the bishop, had, at sundry times, given him assistance, by sending certain men and arms," &c. This prelate, who was of an imperious and obstinate disposition, refused to plead in any but the ecclesiastical court, agreeable to the privilege of his order, behind which he now sheltered himself; and the archbishops of Canterbury and Dublin, siding with him, inhibited the judges from passing sentence; nevertheless his temporalities were seized into the king's hands till the process should be finally determined.

The bishop of Lincoln, who stood much in the same predicament, now joining his interest with that of the bishop of Hereford, they sought means to raise new troubles, which should shelter them from the king's vengeance; and, unhappily for him, their endeavours met with too great success.

This parliament also passed a statute for fixing the precise limits of the royal prerogative, which till now had been vague and unascertained, to the great detriment as well of the crown as of the subject, according to the particular circumstances of the times*. Another remarkable occurrence in this parliament was the granting the manors and possessions of the Knights Templars (which order had been lately suppressed throughout Europe) to the Knights Hospitallers of St. John of Jerusalem. But the business which most perplexed the assembly, was how to behave with regard to Charles, king of France, who thinking himself ill-treated by the king of England and his officers in Guienne, had sent an army, under the command of Philip, count of Valois, who entering that duchy, seized upon several places. Edmund of Woodstock, earl of Kent, the king's brother, who had been lately sent governor into those parts for Edward, unable to resist these forces, shut himself up in Reole, the siege of which was immediately formed by the count of Valois, and as bravely defended by the earl of Kent, in daily hopes of assistance from England; but at length, seeing all his expectations vain, he was constrained to give up the place on honourable terms. Such was the state of affairs at the sitting of this parliament, who gave orders for the equipping an armament and making levies, in case of a rupture with the court of France. This gave the Spensers, who were ever watchful to thwart and distress the queen, a plausible handle to deprive her of the county of Cornwall, assigned her for the maintenance of her privy purse, by suggesting to the king, that it was dangerous to leave that county in the hands of the queen while he was at war with the king her brother: they added, that probably the French fleet might make use of that part of the coast for an invasion. These suggestions prevailed upon Edward to resume the earl-

dom of Cornwall into the hands of the crown, in such a manner as left her no room to doubt from what quarter this affront was levelled against her: at the same time she was obliged to dismiss all her French attendants; and every one of that nation, who had any preferments in England, were turned out.

Notwithstanding the preparations which Edward made for war, it was not so much by his arms that he expected to settle matters with his brother of France, as by the mediation of the pope (John XXII.) who, early in the year 1325, sent over to Paris the archbishop of Vienne and the bishop of Orange to accommodate all difficulties between the two nations; but Charles raised such a number of difficulties, that it was easy to foresee the negotiations would be spun out to a very tedious length: upon which it was mentioned by a nobleman of the French court, that these impediments might be easily removed by the presence and intercession of the French king's sister Isabella, queen of England. The hint was generally approved, and the bishop of Winchester was immediately sent over to England, to manage that point. The Spensers, who, above all things, feared the king's taking a journey to France in person, as then they must be subjected to the resentment of the queen and the opposition, readily came into the expedient; and Isabella, who could wear any face to answer the purposes of her proud and revengeful disposition, seemed to place her chief happiness in labouring to reconcile her husband and brother; though, in truth, the joy she conceived on this occasion arose from the expectation of being able to interest her brother so warmly in her cause, as to oblige her husband to banish or put to death his two favourites. Be this as it might, in the beginning of July, 1325, she took shipping, and passed over to Calais, where her brother the French king, received her with great affection: but when he came to be applied to, by her, in relation to the affairs of her family, he peremptorily refused to interest himself therein, and represented to her, that as she was sent over purposely to negotiate the terms of a peace, it would reflect no small dishonour to her, should it be known, that, preferring private resentment to the service of the public, she had endeavoured to set those at greater variance between whom she was come to mediate. Isabella, by this answer, seeing plainly that her brother would not let his interest truckle to his affection for her, laid aside all hopes of succeeding in that quarter.

After some time spent in deliberation between the nuncios and the English and French commissioners, a plan of the peace was drawn up, containing in substance as follows: "That Charles should be put in possession of Guienne, until Edward should have done homage for that province; for which purpose both kings were to meet at Beauvais, by the middle of August following; that the prisoners on both sides should be released, and a free commerce established between the two people."

The article obliging Edward to go abroad for the performance of his homage had been artfully procured by the queen, who was in hopes thereby to get Edward out of the hands of his favourites; but it was far from being agreeable to himself, and

* For this statute, see the article Laws, at the end of this period.

he ratified it only because he could devise no other means to preserve his foreign dominions; and it gave infinite uneasiness to the two Spensers: they could not think of accompanying their master to a court, where they knew they had so many enemies, who would leave nothing untried to compass their ruin; and if they suffered Edward to depart without them, they were apprehensive of the resentment of the populace here, and of the change that might be wrought in his affections abroad during his absence.

In this dilemma the younger Spenser had recourse to all his influence over the weak Edward, who tried by every artifice to defer a voyage which was to tear him from his minions, and the servile flatterers of his passions. He did, indeed, make a feint of preparing to set out, and was actually got as far as the abbey of Langley, in his way, when, pretending sudden illness, he sent messengers to the court of France, desiring a longer time for paying his homage, as his health would not then permit his attendance.

This was exactly what the queen had foreseen, and she suggested another expedient to the commissioners, which fully answered her purpose: she had already formed a plot for effecting the ruin of the two favourites (should they have accompanied the king over), in conjunction with the disinherited English at Paris, and in particular Roger Mortimer, with whom she now maintained so close a correspondence, as exposed her character to many invidious reflections. But now finding that the Spensers had in part frustrated her designs, she proposed to her brother Charles, that he should transmit to her husband Edward an instrument, importing that if he would make a cession of all his rights to his French dominions in favour of his son, the prince of Wales, the king of France would receive the homage of the latter as if the father had appeared to make it person.

This expedient was greedily embraced by the Spensers, who, like most favourites, consult their own ease and safety before the interest or honour of their master or the nation: the proposed conveyance was executed on the tenth of September; in two days after the young prince went over to France, attended by the bishop of Oxford, and did the required homage and allegiance.

Isabella had now gained her principal point: she had in her hands the heir apparent of the crown, and at an age when she could easily mould him to her own purpose; she therefore omitted no opportunity of gaining the ascendancy over his affections; and the unhappy Edward soon experienced the fatal effects of the egregious blunder he had committed in trusting the eldest hopes of his family and dignity in the hands of a faithless wife and an ambitious woman, a step which hardly admits of any apology, whether we consider the weakness of the monarch who suffered himself to be thus misled, or the baseness and perfidy of the favourites who thus sacrificed the honour and welfare of their master to their own private views.

It was not long before the unhappy king had reason to repent of what he had done; for being alarmed at the long stay which both his queen and son made at the court of France after their necessary business there was dispatched, he wrote to her in the most pressing manner to return immediately, and bring with her his son. His letters to

both of them, which may be seen at large in Dr. Brady, were wrote less in the style of a king, than of an affectionate husband and father; and the expressions are such as afford little cause to suspect that he was ever wanting in the duties of either. In return, however, for this tender complaisance, he received for answer, that neither the queen nor her son could think of returning to England with safety, till the Spensers should be banished the kingdom with infamy and disgrace. It is to be observed, that prince Edward was at this time not more than fourteen years of age: as the queen had leisure to make him entirely subservient to her own purposes, he had lent his name and presence to all she required: he was taught, that she was the only friend he had; that his father, and his favourites, sought their lives; that a divorce was actually soliciting at the court of Rome, for repudiating her, and disinheriting him; and that the measures she and her confident, Mortimer, were taking, were only intended to disconcert their pernicious designs.

On the other hand, Edward and his friends were not idle in providing against the bad consequences of the queen's obstinacy, and the ill-advised measures the court had taken. After trying every gentle method to bring her to a sense of her duty, it was resolved, in a parliament, summoned to consult about this unhappy affair, at Westminster, in the beginning of the year 1326, that a message should be sent to the king of France, insisting upon his no longer continuing to give his sister an asylum in his dominions, but that he would use his utmost endeavours to send her back to England, together with the prince of Wales. Previous to this, Edward had made such effectual application to the court of Rome, that the pope, who had an entire influence over the king of France, engaged heartily in the interests of the injured Edward: he wrote in a very pressing manner to the French court, insisting, even on pain of excommunication, that the queen of England should be sent back to her husband.

Charles was so affected by this menace, by the continual remonstrances of the English envoys, and even of the most virtuous and considerate part of his own ministry, and so scandalized at the dissolute life of his sister, and her bare-faced commerce with Mortimer, that he at length determined to give her up; and accordingly, shewing her the pope's letter, he acquainted her, that he could no longer, with safety or honour to himself, continue to afford her shelter and protection.

Isabella was possessed of too much discernment not to foresee, and to have provided against, this event. She had for some time carried on a private negotiation with William, count of Hainault and Holland, by means of Robert Artois (the only Frenchman of consequence who espoused her cause), promising him, that, if he would grant her an asylum and his protection, she would sign a contract of marriage in behalf of her son, the prince of Wales, with Philippa, the count's second daughter. This proposal had been joyfully acceded to by the count; Isabella now retired into his dominions, where her reception was generous and noble, the count promising her all the assistance his small territories could afford her. Isabella's designs were not a little favoured by the prince of Wales falling in love with the young princess of Hainault, to whom he was now affianced, though, on account of their tender years, the marriage was not consummated.

King Edward, apprized of these proceedings of his queen, and that they tended to an unnatural and hostile invasion of his realm, as also that she was assisted underhand by her brother, the king of France, notwithstanding the different appearance his conduct wore in the eye of the world, this unfortunate prince, thought it high time to provide for his own safety and that of his kingdom: accordingly he issued out his orders to the several sheriffs in England, "to summon all the earls, barons, knights, and others holding by knight's service, arrayers of foot soldiers, light horsemen, &c. to hold themselves in readiness; as also to John l'Esturmy, admiral of the North; to Nicholas Kyriel, admiral of the South; and to Ralph Bassett, of Drayton, constable of Dover castle and warden of the Cinque Ports, to oppose the landing of any of the king's enemies." Not long after, he renewed the statute of Edward I. confirmed by parliament, "against those that should spread false rumours, in order to sow discord between the king and his people;" the penalty of which was imprisonment. This latter ordinance was occasioned by the wicked artifices made use of by the enemies of the court here, in reporting that the king had denounced a sentence of exile against the queen and prince; than which nothing could be more contrary to truth, for he had never taken, nor ever thought of taking, a step of that nature: on the contrary, in his proclamation above-mentioned, he orders the queen and her son to be received with all due honours in any part of England where they might land, but that no foreigners should be suffered to land with them: a very prudent and a very just provision.

But neither these proclamations, nor every other precaution the government could take, was sufficient to ward off the impending ruin of its weak and unfortunate sovereign. Isabella, by the assistance of the family of Hainault, had mustered up an army of near three thousand troops; of these John de Hainault, brother of the count, had the command, and the queen, as a singular favour, gave him leave to style himself her knight. It was not in the number or valour of her troops that Isabella founded her hopes of success in the purposed invasion of her husband's dominions, but in the connections she had previously entered into with the discontented part of the English: all the old Lancastrian faction were ready to join her; and the families of about twenty of the nobility, who had been put to death with the late earl of Lancaster, were the more zealous in their attachment to her, as they hoped, in consequence of her success, to be restored to the estates of their relations, which had been forfeited. The archbishop of Canterbury, and most of the bishops, were in her interest, as, indeed, was every one that hated the younger Spencer, who had, by his haughtiness, cruelty, and avarice, incensed the greatest part of the nation, and was the cause that the king was now deserted by most of those who had stood by him in the late troubles raised by the barons; nay, even his own brothers, Edmund of Woodstock, earl of Kent, and Thomas of Brotherton, earl of Norfolk and earl-marshal, sons of Margaret of France, and cousin-germans to the queen, had been drawn over to her cause, as had likewise John of Brittany, earl of Richmond; and Henry, lord Beaumont, who owed all his estates and honours to the bounty of the king and his father, had under-

hand promoted the conspiracy, and increased the number of the queen's friends in England. In a word, she was well persuaded, that she had little more to do than shew herself, and be presently joined by a numerous party, and the event but too well justified her belief.

Every thing being ready for the expedition, the queen and her son embarked at Dordrecht, accompanied by the earl of Kent (who had followed her from France), Roger de Mortimer, with some of the lords of her faction; and, after a dangerous passage, arrived at Orwell, near Walton, in Suffolk, on the twenty-fourth of September, 1326.

The king was in an ill condition to oppose this invasion, having no one about him in whom he could place any confidence, but his chancellor, Baldock, and the two Spensers, and the universal odium under which these lay, incapacitated them from doing him any material service. Edward himself, indolent, weak, and unfit to struggle with difficulties, was unable to help himself in this exigence of his affairs. He was ill-served; his orders not obeyed, even in points of the greatest consequence, for, though he had ordered the ships of all the ports north of the Thames, to rendezvous on the twenty-first of September, in the harbour of Orwell, having had advice of the intended landing there, yet the queen debarked in that very place three days after, without any opposition, and the transports that brought her returned back unmolested to Holland: nevertheless the unhappy king did all he could in his deserted circumstances. He issued a proclamation, offering a reward of one thousand pounds for Mortimer's head; and ordered his liege subjects to fall upon and destroy the foreigners by whom that traitor was attended. He granted commissions to array men in Kent and all the counties in England; but here again he was villainously betrayed, for Robert de Watteville, whom he had empowered to raise all the forces of Essex and that country which originally constituted the old kingdom of the East Angles, proved false to his trust, and, joining the queen, with what troops he could assemble, became one of her most active partisans. Indeed, the presence and concurrence of the prince was worth a whole army to Isabel; because it removed the terror of forfeitures, and afforded an opportunity for enterprising people to recommend themselves to his future favour, when he should ascend the throne.

Accordingly the queen and her son were no sooner landed, than they were joined by many noblemen and their followers, particularly Henry, earl of Lancaster, brother to the deceased earl, Thomas Wake, Henry Beaumont, William de la Zouch, Robert de Montalt, the archbishop of Dublin, the bishops of Winchester, Lincoln, Ely, and Norwich, and many other churchmen, who were all exasperated against the government on account of the prosecution of the bishop of Hereford. She then published a manifesto, in her own name and that of the prince her son, setting forth the reason of their taking up arms: they pretended, their sole aim was "to free the church and state from the oppressions to which they were exposed by the maladministration of the king and the two Spensers, which latter were represented to be, with their adherents, enemies of the state, inasmuch as, by their pernicious counsels and abuse of the royal authority, they had unjustly deprived some persons of their lives, others

others of their estates and liberty, without regard to the laws of the land, or the privileges of the people." This manifesto was published at Wallingford, October 15, 1326.

This proclamation increased, if possible, the ardour of the English to join the queen, whose army was daily increased by the arrival of a multitude of volunteers. Edward, who was still in London, applied to the citizens, requiring their assistance against the invaders of the kingdom; but their answer was such as soon gave him to understand, that the leaven of disaffection had poisoned that body. In this exigence, not knowing whom to trust, he took a sudden though fatal resolution of leaving the capital, and throwing himself upon his subjects in the West of England; but finding, in his journey, that none of his people chose to hazard their lives or fortunes for an unhappy prince, who was now looked upon as lost, he resolved to quit his kingdom for a while, and retire to Ireland, leaving the elder Spenser to take care of the castle of Bristol, the siege of which he fancied would take the queen so much time, that he might be able to return back with a sufficient force to make head against her. Pursuant to this resolution, he went on board a small vessel, and set sail for Dublin; but being driven by contrary winds on the coast of Wales, he was forced to land, and lie concealed in the abbey of Neath, till the wind came fair, or he could form some other design.

Whilst this unfortunate prince could hardly find a place of safety in his own kingdom, his unnatural consort was over-running the country with incredible rapidity, till she arrived before the castle of Bristol, which still continued to be commanded by the elder Spenser, who would have defended it to the last, but the garrison, being deeply infected with the fashionable disloyalty of the times, obliged him to surrender it, with his own person, into the hands of his enemies. So keen was Isabella's appetite for revenge, that she had not patience to wait the result of a regular trial, but ordered her prisoner to be immediately hung up in his armour, without any formality. Thus fell Hugh Spenser, or d'Espenser, the elder, earl of Winchester, in the ninetyeth year of his age, an able and faithful servant of his king and country, whose character would have remained for ever unimpeached, if his affection for his son had not lead him to concur in measures that his better judgment inwardly disapproved: but this is no alleviation of the cruelty and mean revenge of his enemies.

Mean while the city of London, following the example of the rest of the kingdom, had declared for the queen. In vain did the wise and good Walter Stapleton, bishop of Exeter, whom the king had left guardian of the city, endeavour to keep it for his master: the mob rose upon him, and, having no real crime to allege against him, they made it as a capital charge, that, when treasurer of the kingdom, he had persuaded the king's council to cause the itinerant justices to sit in London, who (finding that the citizens had been guilty of many gross offences) had deprived them of their liberties, fined some, and inflicted corporal punishment upon others, for which he was, by this rabble-judicature, adjudged to die; and being dragged to the great cross in Cheapside, his head was there severed from his body. In a word, the rabble of

London, and indeed of all the principal cities of the kingdom, taking advantage of the national confusion, committed all kinds of outrages with equal wantonness and impunity.

The reduction of Bristol was followed by tenders of submission to the queen and prince from the cities of Winchester, Salisbury, Bath, and Wells; and, in short, the whole West of England. Here Isabella received advice of husband's being embarked for Ireland; and as he had not committed the government to any person, the lords of her party made this a pretext to declare the throne vacant, and to draw up an instrument recording the abdication of Edward, and appointing his son, the prince of Wales, guardian or regent of the kingdom. After this Isabella and her court repaired to Gloucester.

While she remained here, a report was spread, that the king was concealed in Wales. The adverse party, fearing the distress of their king might work a change in the minds of the people to their disadvantage, resolved to get him into their own hands: accordingly, Henry of Lancaster received a commission, immediately to go in quest of Edward, and secure his person, wherever it could be found. This commission he but too easily executed, by bribing the Welsh, who delivered up the unfortunate king into the hands of his enemies. He was seized, on the nineteenth of November, at Caerfilly, in Glamorganshire: he had with him only the younger Spenser, Robert de Baldock the chancellor, Stephen de Reading, and a few domestics; all the rest of his courtiers having forsaken him in his misfortunes. They were all, except the king, carried to Hereford, where Edmund Fitz Allan, earl of Arundel (who had been seized in Shropshire, whither he had retired to live on his estate), John Daniel, and Thomas de Manchedeure had been beheaded but a little while before, though chargeable with no other crime besides that of not deserting the king to join his enemies; but the true reason was, that Mortimer had a strong hatred to them, especially the former (whose estate he wanted in his own hands); and whosoever her bloody minion doomed to death, the queen, servilely obsequious to his will, readily ordered for execution.

The exultation both of her and her paramour exceeded all the bounds of decency, on beholding their capital enemy, the young Spenser, in their power. Without waiting for the meeting of a parliament, she resolved to make him the immediate sacrifice to her vengeance: Spenser was brought to a mock trial before the queen and the new-modelled government, when sentence of death passed upon him, on refusing to plead before this unauthorized tribunal, and he was condemned to be hanged, drawn, and quartered; which sentence was executed with the most shocking circumstances of barbarity and insult; his limbs were dispersed through the principal towns in England, and his head was left affixed to the gibbet, as a spectacle to glut the eyes of his revengeful adversaries. Stephen de Reading suffered the like death; but Baldock, being a priest, was committed to the prison of the bishop of Hereford, from whence he was sent to London, and confined in Newgate, where he soon after ended his days, through the barbarous usage he underwent there and in his conveyance from Hereford.

In the mean time the unhappy Edward was conveyed to Ledbury, and from thence, about the middle of December, to the castle of Kenelworth, where he continued all the winter, under the custody of the earl of Lancaster. Before his removal, however, the queen and her party, willing to have all possible sanction to her proceedings, had, by the advice of her council, sent the bishop of Hereford to demand the great-seal of the king, who, finding it in vain to contend with his fate, delivered it up without shewing any reluctance, and even signed an instrument, by which he gave the queen and his son power to use it as they pleased. This was the last act of authority performed by Edward, who having thus parted with his power, was soon after deprived of his crown and his life.

Isabella, by having possession of the great-seal, was invested with the actual exercise of the government; and the first use she made of it, was to summon a parliament to meet on the feast of Epiphany following*: and leaving Hereford, she went to keep her Christmas at the castle of Wallingford, where, in the adulterous embraces of the bloody Mortimer, she forgot every call of nature, she lost every sense of shame, nor seemed to remember that there existed such a person as the wretched Edward, her sovereign and husband.

The parliament meeting on the seventh of January, 1327, the queen, attended by almost all the nobility of England, made a triumphant entry into London, two days before, amidst the acclamations of the populace, ever fond of a new ruler. The queen's junto, which was composed of the archbishops of Canterbury and York, the bishop of Winchester, treasurer, the bishop of Norwich, chancellor, with the bishops of Ely, Coventry, and Hereford, with some temporal lords, undertook to manage things in the house; and, having gotten every thing in readiness, on the tenth of January the bishop of Winchester presented to the assembly an impeachment against the king, consisting of six articles, which, for the reader's satisfaction, I shall here insert at large.

I. For that the person of the king was not sufficient to govern; for in all his time he was led and governed by others, who gave him evil counsel, to the dishonour of himself and destruction of holy church and all his people, not considering or knowing whether it was good or evil; nor would remedy these things, when he was requested by the great and wise men of the realm, or suffer them to be amended.

II. Also, in all his time, he would not give himself to good counsel, nor take it, nor to the good government of his kingdom; but always gave himself to works and employment not convenient, neglecting the business of the realm.

III. Also, for want of good government, he lost the kingdom of Scotland, and other lands and dominions in Gascony and in Ireland, which his father left him in peace and amity with the king of France, and many other good persons.

IV. Also, by his pride and cruelty, he destroyed holy church, and the persons of holy church, putting some in prison, and others in distress, and also

put to shameful death, imprisoned, banished, and disinherited many great noblemen of the land.

V. Also, whereas he was bound by his oath to do right to all, he would not do it for his own profit; and the covetousness of him and his evil counsellors which were with him, neither regarded the other points of the oath which he made at his coronation, as he was obliged.

VI. Also, he abandoned his realm, and did as much as he could to destroy it and his people; and, what is still worse, by his cruelty, and the default of his person, he is found incorrigible, without hopes of amendment. All which things are so notorious they cannot be gainsaid.

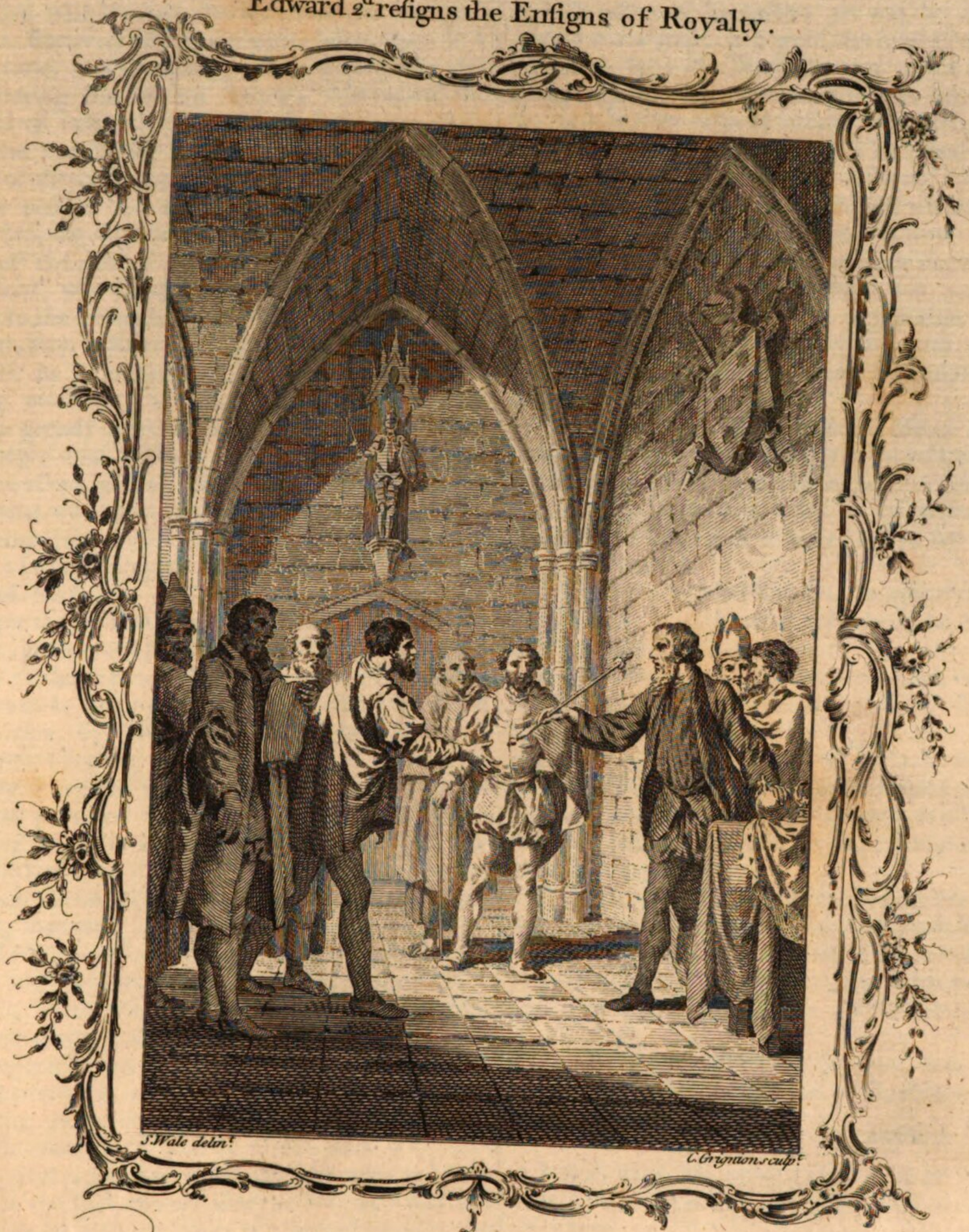
This impeachment being read in presence of the prince, seated on the throne, it was resolved that young Edward should assume the reins of government, and that Edward II. should no longer be styled king of England, but only Edward of Caernarvon, the king's father. This resolution being notified to the queen, she affected the deepest sorrow for her husband's sufferings; and so well did she play her part, that young Edward, whose filial piety was equal to her ambition and unnaturality, affected with the scene, which he believed to be real, solemnly swore not to take upon him the government, if not voluntarily resigned by his father.

Isabella began to be apprehensive that she had spun the web of dissimulation too fine: the generous resolution of young Edward might have disconcerted the whole plan of her and her faction, the government would naturally revert to its first principals, and all they were doing was treasonable against the state, and might prove fatal to themselves. In this perplexity the cabal found it absolutely necessary to oblige the king to resign the crown to his son. For this purpose they got the parliament to nominate certain commissioners, viz. three bishops, three earls, two abbots, and two knights from each county, to whom was added judge Trussell, as the nation's particular procurator, to carry to Edward, at Kenelworth, the resolution of the parliament in regard to his deposition, and to prevail on him, if possible, to make a voluntary resignation of that power, with which they were determined to trust him no longer. In order the better to prepare him for his approaching change, Henry de Burwasche, bishop of Lincoln, and Adam de Orleton, of Hereford, were sent to converse with him, before the arrival of the deputies. The appearance of these two prelates was alone sufficient to convince the unfortunate Edward that he had now lost all hopes of better fortune: and, indeed, nothing could more shew the malice and resentment of the ruling party than their choice of these bishops, who had all along shewn themselves the inveterate enemies of the distressed king. The manner in which they discharged their commission was perfectly suited to all the rest of their conduct: instead of pouring the balm of consolation into the breast of wounded royalty, they aggravated the smart by a thousand malicious inuendoes; and at length, when they found Edward make the last struggle to maintain his dignity, by refusing to confer with the deputies, who were

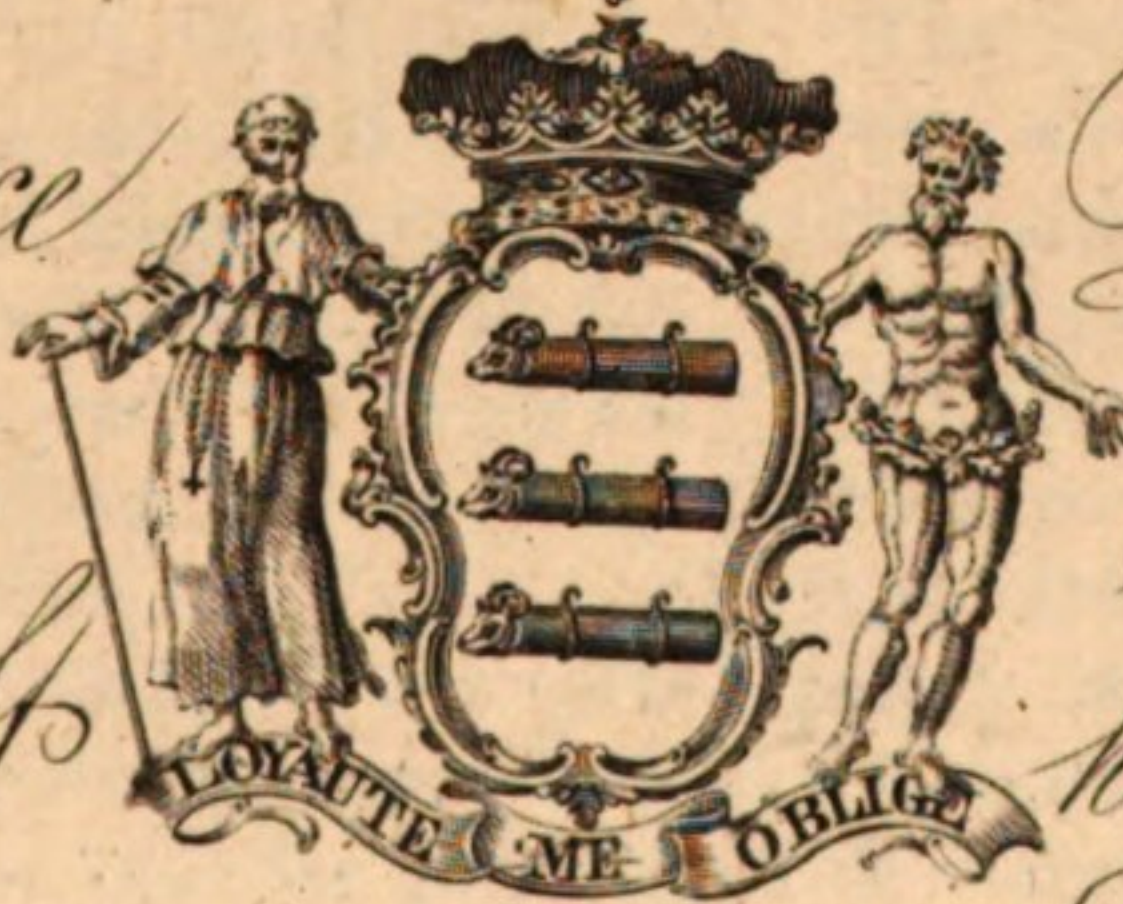
* This writ directed the parliament to be held at Westminster, before the king, if he was present; or, in case of his absence, before his queen Isabel and his eldest son Edward: and appointed at the same time a place for the meeting of the

clergy, to give their assent to what should be agreed upon in parliament. Walsing. Mat. Westm. contin. Rot. Claus. 20 Ed. II.

Edward 2^d. resigns the Ensigns of Royalty.



To his Grace
Duke of
This Plate is most
Lereg. Bertiel
Lancaster
humbly Inscribed.



coming to make such unconstitutional proposals to him, they told him flatly, "that if he should continue obstinately to refuse to resign, the parliament would involve his whole family in his guilt, and, passing by all his children, elect to the throne some other person." This menace awakened all the father in the soul of the hapless Edward; he paused; he dropped a tear to the remembrance of his fallen estate; and at length faintly intimated that he would admit the commissioners to an audience; and then withdrawing into his chamber, to recollect his fluttered spirits, he came forth again in a short time, in a mourning habit, with looks demonstrating his inward sorrow; but when the articles of impeachment against him were read, and the commissioners came to demand, in the name of the parliament, his immediate resignation, nature proved too weak to stand the shock; he trembled, he turned pale, and, but for the support of the earl of Lancaster and the bishop of Hereford, who stood on each side of him, he had fallen to the ground, bereft of senses as he was of all authority. After some time, having recollected himself, he addressed the commissioners with a faltering voice, to the following purport: "That he was greatly grieved by the reflection of what his people had suffered by his misgovernment: that he asked pardon of all present; and, seeing that what was done could not be recalled, all that was now left in his power, was to return them thanks for suffering his crown to descend upon the head of his son."

After this answer, which shewed a laudable contrition, as the pangs which preceded it were proofs rather of the feeling, than of the weakness, of human nature, he proceeded to the ceremony of the resignation, by delivering, with his own hand, to the commissioners, the crown, sceptre, and other ensigns of royalty, which had been brought thither for that purpose. Then sir William Trussel, addressing himself to the unkinged Edward, renounced, in the name of the parliament and nation, all future allegiance and fealty, in the following manner:

"I William Trussel, procurator of the prelates, earls, and barons, and other people in my procuracy named, having for this full and sufficient power, do surrender and deliver up to you, Edward, king of England before this time, the homage and fealty of the persons in my procuracy named, in the name of them, and every one of them, for certain causes therein mentioned, and do return unto you, Edward, and acquit or discharge the persons aforesaid, in the best manner that the laws and customs can give it, and do make this protestation in the name of all those, that they will not, for the future, be in your fealty or allegiance, nor claim to hold any thing of you, as king; but account you as a private person, without any manner of royal dignity." After this the high-steward, sir Thomas Blount, broke his staff, and declared all the king's officers discharged from his service.

This melancholy ceremony (which was performed on the twentieth of January, 1327) being over, the commissioners set out for London, to lay before the parliament an account of their proceedings. The queen now dried up her tears, and young Edward prepared to mount that throne, on which he afterwards made so distinguished a figure.

Thus ended the reign of Edward II. (whom we must henceforward consider only as a private man), in the forty-third year of his age, having lasted nineteen years, six months, and fifteen days. He fell a victim to an unguarded affection for his favourites, who, because they were favourites, became justly the objects of national jealousy. As to his incapacity to govern, it does not appear, by any means, to be so great as some writers have alleged; for though he had not all the valour and understanding of his father, yet was he neither a coward nor a fool: in a word, he might have continued to sway the British sceptre to his last moments, had he not countenanced the Spencers in the too great exercise of cruelty after their success over the Lancastrian faction. The blood of that nobleman, and others who suffered with him, proved a fountain from which destruction flowed upon those who wrought their overthrow: though it must be confessed, that the king ought not to have been so severely punished; nor would he, had not the resentment of an implacable woman turned reformation into disloyalty, and expelled from the government him, whom his people fought only to reclaim.

Having thus closed the political life of Edward II. we shall refer what remains to be related of the small residue of his natural life, to that period under the reign of his son, when he suffered the most ignominious fate that a man (not to say a king) ever experienced.

Edward II. married Isabella, daughter of Philip the Fair, king of France, by whom he had issue two sons and two daughters.

1. His eldest son, Edward, surnamed, of Windsor, because born there, succeeded him in the kingdom.

2. His second son, John of Eltham, so named because born in that manor (in the county of Kent), was, at twelve years of age, created earl of Cornwall: he died in Scotland, in the twentieth year of his age, unmarried.

1. His eldest daughter, Joan, being yet a child, was married, in the fourth year of king Edward III. her brother, to David, prince of Scotland, son of Robert Bruce, he being then but seven years old. She died at London, on a visit to her brother, A. D. 1357.

2. His second daughter, Eleanor, was married to Reginald, the second earl of Guelders.

REMARKABLE OCCURRENCES.

I shall close the history of this reign with two events, which I have not had occasion to introduce elsewhere.

The first was on the fourteenth of November, 1320, when there happened the greatest earthquake that had been ever known in England, to the unspeakable terror of all degrees of people.

The second was the suppression of the Knights Templars in England, and all other Christian states. Of the first institution of this order we have already spoken in a former part of this history: it was confirmed in the council of Troyes, 1127; and its rule composed by the famous St. Bernard.

After the downfall of the kingdom of Jerusalem, about the year 1186, this order was dispersed all over Europe; and increased prodigiously by the liberality of the Christians, insomuch that they were possessed, at their dissolution, of sixteen thousand

land lordships, besides other lands. In this year, 1309, the severity of the taxes, and maladministration of Philip the Fair, king of France, and his council, having occasioned a dangerous mutiny in Paris, the Templars, who had the keeping of the king's treasures, were accused of having been concerned in the sedition; and Philip was well known for being implacable in his revenge. He now wrote to pope Clement V. and the other princes of Europe, desiring them to join in expelling this order from their dominions, on account of their debauched and scandalous lives, which rendered them dangerous to any state in which they resided. And the more to incense the powers of Europe against this society, a charge was trumped up against them, which seems to have had no other foundation than the malice of their enemies: one Squin de Florian, and Noffo de Florentin, an apostate Templar, accused them of denying Jesus Christ at their admittance into the order; of spitting upon the cross; and of worshipping a golden head, erected on a block with four feet; as also of using the most scandalous and unnatural ceremonies at their first induction: and, in short, such a catalogue of crimes was brought against them, as exceeded belief in the very relation. It was no hard matter, however, for Philip to procure proper witnesses to depose against those whom he had singled out as the victims of his resentment, or, indeed, of his avarice and ambition, if we may believe Walsingham, who says, that Philip having a mind to make one of his sons king of Jerusalem, in order to procure the riches of the Knights Templars for this son, he caused that order to be dissolved; in which scheme he easily gained the concurrence of the pope by promising him a part of their spoils.

Be this as it might, Philip set the example of persecution to the other crowned heads, by ordering all the Templars within his dominions to be arrested on one day, their estates to be seized upon in his name, and their persons to be imprisoned. The courts of England, Castile, Arragon, and Sicily were even plied with bulls from the pope, admonishing them to extirpate these wretches, wheresoever they could be found. The blackness

of the charge brought against them had raised the detestation of the public: their luxury, intemperance, and itch of accumulating riches, had made them many enemies in all states, so that most of the potentates of Europe complied with the pope's request, so far as to banish all of the order; but these unfortunate people were put to death nowhere but in France: certain it is, that in that kingdom above an hundred knights were put to the most cruel torture; that fifty more were burnt in one day, near the abbey of St. Antony, at Paris; and that the grand-master, John de Molay, and Guy, brother to the dauphin of Auvergne, two of the principal lords in Europe, the one by his dignity, and the other by his birth, were also thrown alive into the flames. Philip the Fair took to himself two hundred thousand livres; and his son, Lewis Hutin, six thousand more, out of the estates of the Knights Templars: and Dupuis, a most faithful and exact historian, says, that the pope did not forget himself in the partition.

Edward II. was persuaded to follow the example of his father-in-law; but he contented himself with issuing an order for seizing all the Templars in England in one day, as they had been in France, after which they were dispersed in the several monasteries, to do penance, with a moderate pension paid out of the sequestered revenues of the order. After their condemnation at the court of Rome, the pope, reserving to himself the disposal of their estates, assigned them to the Hospitalers, or Knights of St. John of Jerusalem, called at this day Knights of Malta. Edward II. who had taken possession of the estates of the condemned order, in vain opposed the pope's grant to the Hospitalers, and insisted upon the prerogative of the crown, by which all confiscations within his realm was adjudged to him: the great men of England thought fit to concur with the pope, probably to mortify Edward; and the possessions of the Knights Templars were granted to the order of St John, by the parliament which met in the beginning of the year 1324, when the Statutum de Templariorum was enacted.

Of the State of Religion, Learning, Laws, Arts and Sciences, Commerce, Public Revenues, &c. in ENGLAND, from the Death of King JOHN to the Accession of EDWARD III. Including a Period of One hundred and eleven Years, viz. from A. D. 1216 to A. D. 1327.

Of RELIGION, and of the CHURCH.

THAT we may have a clearer view of the pernicious effects of the power exercised in England by the see of Rome, it will be necessary to recite the principles on which this power was founded, and which tended to give it weight in the dark ages of superstition and ignorance: it was maintained "that the clergy had a right not only to instruct the faithful, but to inspect their lives and conversation, and that the church was to be kept holy and unblemished;" consequently, having dis-

covered the crimes of particulars, by their authority of inspecting their lives, they proceeded to excommunicate such as defiled the church by erroneous and heretical principles, and as their authority was universally allowed and respected, this effectually shut the door against private improvements in religious matters; for who would incur the sentence of excommunication, and run the hazard of losing all the common benefits of society, for the sake of a particular opinion, though ever so just

just and reasonable? It was likewise believed, "that it was necessary for the glory of God, to use temporal punishments for the conversion of impenitent sinners." This doctrine produced confiscation of estates and effects; and sovereigns of an avaricious disposition, as they had a part in these confiscations, took care to uphold them; little considering that ecclesiastical power stops not at the footstool, but aspires, when there is a possibility, to the throne itself. This truth they fatally experienced, as it became a practice to excommunicate and depose kings, with almost as little ceremony as to confiscate the effects of individuals; the same authority which they had permitted the free exercise of, over their subjects, being equally revered by them, to the destruction of their sovereigns.

On these principles and some others of smaller note, the spiritual jurisdiction of the church was changed into a temporal, unlimited, absolute monarchy, which endeavoured to involve all Christian states; and as they all equally at different times suffered under, and lamented the dreadful consequences of blindly submitting to the absolute power assumed by the pope and the clergy, the ecclesiastical history of England at this period, may serve for that of all Europe; the events being nearly the same, and consisting chiefly of insurrections and revolutions to establish and enlarge the papal authority, and equal hostilities on the part of the unhappy people to rescue themselves from this cruel oppression: in their vigorous attempts to throw off the yoke we find them but seldom supported by their sovereigns, and too often shamefully deserted; for the popes generally had the policy not to carry things to extremities, but to compound matters with the sovereigns, unless, which rarely happened, they were sure of the people; and in that case the princes felt the utmost weight of ecclesiastical vengeance which extends beyond the grave.

The protection of pope Innocent being demanded for Henry III. against Lewis the prince of France who disputed the crown with him, it is no wonder that he became servilely attached to his holiness; and therefore we find him at his coronation renewing the homage first paid by his predecessor to the pope for the kingdoms of England and Ireland, and swearing to pay the thousand marks yearly, which that weak prince had granted to the see of Rome: it is true, indeed, this was the act of William, earl of Pembroke, afterwards protector, the king being a minor; but when he came to take the reins of government into his own hands, the same measures were pursued, and the kingdom remained enslaved to the pope and his legates in England, during this long reign. The lords and the common people made several efforts to restrain the exorbitant power of the legates, but not being supported by the king, they had no effect; and not only the most rigorous exactions were submitted to, but councils were held, in which canons were made and published, that wholly subjected both the king and kingdom to ecclesiastical jurisdiction; and the king openly favoured these usurpations of the court of Rome: the several canons derogatory to the rights of the crown and of the kingdom are too long to recite, but the principal encroachment was the putting the collation of vacant benefices into the hands of the pope, who generally filled them at this period with Italians

and other foreigners. The second canon of the council held at Merton, by Boniface, archbishop of Canterbury, and other prelates, expressly forbids any clerk by his own power, or any lay authority, to thrust himself into, or be possessed of any ecclesiastical benefice, on pain of excommunication; and if any such intrusions shall be made by the king's authority, the diocesan shall admonish him to revoke them, and, upon refusal, shall interdict all his lands and places lying in that diocese. In short, the king and the pope vied with each other in their exactions; and the mutual support they alternately gave to each other, produced the differences between the king and the barons, who, if they had been properly supported, would certainly have freed the nation at this time, and probably for ever after, from the tyrannic usurpations of the see of Rome; as appears by their animated resolutions, and their proceeding so far as to issue orders to the wardens of the Cinque Ports, to stop all persons bringing bulls into the kingdom from Rome. The general sense of the people may likewise be gathered from the articles of grievances committed to writing by the parliament, held in Lent, A. D. 1246, and sent to the pope, signed by the king and by the lords spiritual and temporal, but which produced no good effect; on the contrary, the pope rather increased his exactions, being secretly supported by the king, though he had publicly signed the representations of the national grievances.

I shall now give a summary account of the most remarkable councils held in this and the following reigns, and other acts relating to ecclesiastical matters.

I shall begin with that held in 1237, by Otho, the pope's legate, in St. Paul's church, in order to establish the canons against pluralities, and those who unlawfully held livings in the church. As this design was extremely unpopular, not only to the clergy but the laity of England, the legate, fearing a dangerous opposition, obtained of the king a guard of two hundred men to attend him to and from the council. The session was opened on the octave of St. Martin: Otho appeared with great pontifical pomp, and seated himself on a lofty throne, with the archbishop of Canterbury on his right hand, and the archbishop of York on his left. He then commanded certain canons against pluralists (which he had brought with him from Rome) to be read: these appeared to be so grievous to the whole clerical tribe, that Walter de Cantelupe, bishop of Worcester, stood up and made so pathetic a speech against them, that the legate, not willing to come to extremities, declared that the contested canons should be in force only during his legateship: nevertheless it was no sooner passed on this condition, than an ecclesiastic, in the legate's train, read aloud a decretal epistle from the pope, by which it was ordained that these canons should be perpetually binding. There were also other canons passed at this council, the chief of which were, That decreeing the number of sacraments to be fixed at seven, viz. baptism, confirmation, penance, the eucharist, extreme unction, matrimony, and holy orders: another, fixing the eves of Easter and Whitsuntide, and regulating the administration of baptism: the last enjoined the clergy to reside at their benefices, at least one half of the year. This canon was absolutely necessary at that time; for the pope having granted so many livings

to foreigners (Italians) non-resident, if the English clergy had not been tied down to residence, the churches must have gone in great part unserved.

In the year 1286 arrived Ottobon, or Ottoboni, legate from pope Clement IV. who then held the papal chair. A little after his arrival he summoned a general synod at London, at which were present, according to our historians, all the prelates of Scotland, Ireland, and Wales. Here were published certain constitutions from Rome, some of which still make a part of the canon law of the English church, and therefore deservedly claim a recital in this part of our history.

The Ist of these constitutions allowed laymen to administer baptism in cases of necessity.

The IId forbade priests to take money for the administration of the sacraments.

The IXth ordained ecclesiastics to reside at their benefices.

The XIIIth confirmed the right of sanctuary to churches.

The XIVth decreed that marriages should be celebrated in public.

The XXth forbade commutation for penance.

The XXIIId provides against alienating any part of the tythes from the parish priests.—This constitution particularly regarded the monks, to whom such alienations were daily appropriated.

The XXXth condemns pluralities.

The XXXIst forbids the giving benefices in commendam, and declares a benefice held in that manner vacant.—It will not be improper to explain here what is meant by the term *Commendam*, and how that practice came first to be introduced. The word itself signifies “to commend a vacant living, or cure, to the care of an able clerk, till it be otherwise disposed of.” This custom appears to have taken its rise upon the irruption of the northern nations, when either public calamities or natural death deprived churches of their pastors: in this case the principal prelates of the province appointed priests to officiate in the vacant benefice till the pastor should resume the care of his flock, when peace was again restored. Such priests as were not the true pastors, and were styled *commendatories*, were still continued in their benefices, by which this expedient, so salutary in its first institution, came to degenerate so much, that it was found necessary to make canons prohibiting any one to enjoy a living in commendam longer than six months, and that the person commended should not receive the benefits of such vacant benefices. Nevertheless, the popes, pretending to be above the canons, continued to dispose of benefices in commendam for the term of natural life, at the same time assigning all the profits of the benefice to the commendatory.

The XXXIId constitution ordained, that before the consecration of a bishop, enquiry should be made, whether not he be possessed of more benefices than one without a dispensation, as likewise into the authenticity and regularity of such dispensation.

The XXXIIId annulled all previous bargains between patrons and those they presented to vacant livings.

The XXXIVth forbids to hold any market, or transacting any business in churches throughout all England, Scotland, and Ireland.

These are all the principal councils held in England during the reign of Henry III. and by these we may see the progress of the papal power, and the state

of the English clergy. At the death of this prince, the lords who were the guardians of the kingdom published a protest in the name of king Edward I. his successor, vindicating the prerogative of the crown against the encroachments of Rome, particularly in the affair of vacant benefices, and maintaining that cathedral churches when void, ought of right and custom to be filled by the canonical election of the chapter, the king's leave being first obtained; and that after the election, the person elected ought to be presented to the king for his confirmation; and they particularly represented it as a great grievance, that the see of Canterbury had been disposed of without licence from the late king, and by the sole authority of the pope, not long before his death, which they were determined to prevent for the future. The archbishop of Canterbury being a creature of the pope, and finding that this protest took its rise from his election, opposed the king and the nobles on every occasion, and called frequent councils for ratifying and putting in practice the canons made at Merton in the last reign; but Edward judged them so detrimental to his own prerogative and the rights of his people, that he appointed commissioners to attend at these councils, and to appeal in his name against their proceedings; yet the consequence was only vexatious suits between the king and the clergy, without producing any good effect to the nation during this reign.

The councils of principal note in the first Edward's reign, and the statutes enacted in them, were as follow.

In the third year of Edward I. passed the famous First Statute of Westminster, by which a very material alteration in the privileges of the English clergy was introduced; for, till this time, a clergyman arrested for murder or felony, might be claimed by his ordinary, and the civil judge was obliged to resign him: but this act provided, that a clerk so accused by solemn inquest of lawful men in the king's court, in no manner shall be delivered without due purgation, so that the king shall not need to provide any other remedy therein.

In the year 1277, at a council or parliament held at Westminster, the famous Statute of Bigamy was passed. This statute was of an unusual kind; it was founded on the sixteenth canon of the second council of Lyons, by which pope Gregory declared, “that all persons twice married, should be utterly deprived and incapable of clerical privileges;” and forbid them, under a curse, “either to have or to wear a clergyman's habit.” Now by this statute it was decreed and declared, before the king and his council, that the same constitution shall be understood in this wise, “that all those being bigamists, even before this constitution, should have justice executed upon them as upon other lay people.” But this statute was repealed in the sequel.

The clergy of England suffered another very material alteration in their circumstances, by the passing the Statute of Mortmain, which the reader will find considered as a civil transaction, which it properly was.

In the year 1307, being that in which Edward died, a council of the great lords, spiritual and temporal, was held at Carlisle, for the express purpose of reforming several ecclesiastical abuses. The first was, that of the oppression of monasteries by foreign superiors, who, under pretence of visiting the

the houses of their order here, used to draw considerable contributions from them, and carry the money abroad. To remedy this evil, the famous statute "*De asportatis religiosorum*," or "against transporting the goods of religious houses," was enacted by the king and parliament, by which it was ordered,

"That no abbot, prior, or other religious person, of what state, condition, or order soever he was, under the power and dominion of the king of England, should pay any rent or composition, charged upon them by their superiors, the abbots and priors of religious houses in foreign parts; nor that they should go beyond sea to visit such monasteries under any pretence whatsoever, so as the goods and revenues of their monastery might any way, by exchange or merchandize, be conveyed out of the kingdom, upon pain of grievous punishment upon such as shall do contrary to this statute, in contempt of the king's prohibition."

It was farther enacted, "That no abbot, prior, or master of religious houses, &c. abroad, under whose subjection the houses of the same order were in England, should presume to impose any payment or burden upon them, under forfeiture of all they had in the said dominions. Neither should they take any money from the said monasteries, priories, or houses they visited, nor carry any thing out of the kingdom, but their moderate and reasonable expences."

This assembly next took into consideration certain articles, exhibited by the lay noblemen and others, against the exactions exercised by the pope's nuncio Testa, who was now strictly forbidden to carry any money out of the kingdom.

Edward II. began his reign with the cruel and unjust suppression of the order of the Knights Templars, in a council held at London, A. D. 1310, whose effects were seized, and their persons condemned to perpetual imprisonment, upon the most false and groundless accusation.

It was at this juncture that, in a synod, assembled by archbishop Winchelsey, at Winchester, a very curious constitution passed concerning matrimony. The occasion was this: by an old regulation, two persons convicted of carnal commerce, were, by the statutes of the church, obliged to abjure the society of each other, and there the censure rested. But experience having proved that this frequently gave rise to other crimes, even that of perjury itself, to satisfy irregular desires, it was found necessary to annex more severe penalties to the sin: accordingly the oath of abjuration was laid aside, and corporal punishments decreed against fornication, for the first and second offence, but the third was to be atoned no otherwise than by matrimony between the parties. But as this article is very curious, we shall give it the reader as we find it in Johnson's Canons*.

"We forbid abjurations of such women as have been corrupted by fornication, for the future; but let the offenders be bound with an oath, that if hereafter they confess or are convicted of having been guilty of a relapse, they will, without contradiction, submit to a corporal punishment, to be determined by the discretion of the president, due consideration being had of the condition and circumstance of their persons. But if they have in-

curred that punishment, or are convicted, or have relapsed a third time, then let the man and woman contract in this form: "I do from this time forward take thee for my wife, if I shall hereafter carnally know thee." And let the woman answer, "I also take thee from this time forward for my husband, if I shall hereafter have carnal knowledge of thee." And that what has been done in such cases may be more certainly known, we charge that this form of contract be drawn up in writing; and moreover, we do charge that these contracts be observed duly and faithfully as other contracts."

In this reign the dispute about precedency between the sees of Canterbury and York was again revived. Winchelsey, who filled the former of these, and was a warm stickler for the dignity and privileges of his order, refused to attend parliament while the archbishop of York appeared in the same with his cross borne before him. In this he was seconded by the clergy of his diocese; and Edward observing their resolution, thought proper to dispense with the other metropolitan's attendance in parliament, and thus the matter was adjusted.

In the year 1316, passed the famous statute called "*Articuli cleri*," for the relief of the clergy, whose privileges were encroached upon by the civil courts. This statute is couched in form of petition to the king, and his answer is subjoined to every article. We shall, from Baronius's Annals, recite some of the principal articles, as they are very material to the ecclesiastical history of England at this period.

The clergy, in their Ist article or chapter, complain that the king's justices intermeddled in testamentary causes, and took cognizance of tythes and other ecclesiastical matters.

IId. That ecclesiastics were charged towards the king's carriages; and that the king's mills were exempt from tythes.

IIIId. That clerks attending on the Exchequer could not reside on their benefices; and that upon their decease, their effects were seized till their accounts could be made up; and that ecclesiastical possessions were wasted during vacancies.

IVth. That clerks were admitted to free chapels by laymen.

Vth. That prohibitions were granted without surmise.

VIth. That clerks are summoned to answer in the king's court for crimes, and being acquitted, the informers escape without penalty.

VIIth. That clerks are not allowed their clergy.

VIIIth. That after purgation made, clerks are questionable in the king's court for the same offence.

IXth. That persons taking sanctuary, were besieged therein so as to be compelled to evacuate the same, or to die of distress.

Xth. That the writ "*De cautione admittenda*," frequently issued forth before the church received due satisfaction; and excommunicate persons being imprisoned, are enlarged in like manner.

XIth. That debts due from clerk to clerk, are made cognizable in temporal courts.

XIIth. That bishops are compelled by distress, to make clerks appear in lay courts without cause.

XIIIth. That the church loseth its right by the ceasing of rent or pension for the space of two years.

XIVth. That nuns were compelled to sue in the lay courts, for their rights in possessions devolving to them by the death of kindred.

XVth. That churches are deprived of their privileges by the statute of "Quo warranto," which obliges them to shew how they hold them.

XVIth. That ecclesiastical judges are letted, or hindered, in their proceedings by the king's sheriffs, and by the great men of the realm.

XVIIth. That the refusal of bishops in regard to unqualified clerks presented for ordination, was made cognizable by lay courts.

XVIIIth. That religious houses were greatly oppressed by their patrons exacting from them free quarter.

XIXth. That bigamy and bastardy were tried in lay courts.

XXth. That the benefices in the gift of the crown were suffered to remain vacant for many years.

XXIst. That the clergy had found themselves greatly injured by the statute of mortmain.

To redress these grievances, therefore, Edward passed the statute of Articuli, which provided against all the several evils complained of, and was of infinite advantage to the clergy, by freeing them from the rod of civil power.

In a council held at Oxford, A.D. 1322, many very useful constitutions were enacted, touching the qualifications of candidates for holy orders, the ordination of priests, and the confirmation of children. These are all the ecclesiastical transactions deserving the notice of the reader during the period we have had under consideration.

RELIGIOUS ORDERS.

NO sooner had the popes established an absolute sovereignty over the church, than it was deluged with an inundation of religious orders, which might be compared to different bands of an army, ready to support, on all occasions, the power and grandeur of their spiritual general: of these we shall proceed to give an account, in order as they were instituted.

The Franciscans, or Cordeliers, were the most numerous and stirring of any of the other orders. Francis d'Assisi, who first founded this order in the year 1206, was a native of Assisi, in the Ecclesiastical State, and bred up to business; but he renounced all property, made profession of evangelical poverty, retired to the woods, and subjected himself to such hideous mortifications, that the ignorant country people esteemed him as one superior to the rest of human kind: they compared him to Christ himself, and pretended that he performed many more miracles. It was no inconsiderable one, indeed, that such a miserable fanatic should have founded so great an order, that, at a general chapter, which he held during his life-time, at Assisi, in the year 1219, he saw no less than five thousand deputies from the convents of his institution.

This order settled in England about the year 1217. The monks, out of modesty, assumed the name of Minor Brothers. They were restricted by their rules from preaching, or confessing, in any diocese without the licence of the bishop: but this restriction they found means to have taken off.

The order of Dominicans was instituted some little time after that of the Franciscans, and was inferior to these in numbers, but much more powerful. The founder of this order was Dominic Guzman, a gentleman of Spain: he first gave the name of Friars Preachers to his society, for which he demanded the confirmation of pope Innocent III. who refused to grant it, on account of a prohibition of the Lateran council against the founding any new orders; but his successor, Honorius, was not so scrupulous, and this order was established under the name of Dominicans, from the name of their founder: they had in France the appellation of Jacobins, from the Rue St. Jacques (St. James's street), where they had

their first house in Paris. They settled in England in 1223, shortly after their institution.

These two orders soon deserted their vows of poverty, and every where over-reached upon the duties of parish priests: their pretexts for this were, that those priests were become so scandalous in their morals, that the people would not confess to them, and that they had a faculty from the pope for discharging the office of a confessor. By this means they wormed themselves into the secrets of the chief families in England, and became so many spies for the pope and the court: they even acted as agents and attorneys to many of the nobility; and at last had interest enough at Rome to obtain the assignment of some monastery lands here in England for the support of their society. But while these two orders were labouring with equal ardour to ingross the wealth of the land, they insensibly became rivals of each other. A jealousy arose between them, which was soon followed by a most scandalous quarrel, that is not yet decided, and they are to this day at open enmity. The chief theological dispute was concerning the birth of the Mother of Christ: the Dominicans affirm, that she was subject to the power of the devil, like the rest of human kind; and the Franciscans insist, that she was wholly exempt from original sin. This political dispute between these two orders arose from the prodigious credit and influence acquired by the Dominicans.

In the year 1244, in a council held at Rochester, a new order of monks, called Cross-bearers (from having a cross fastened to, or painted upon, their staves) demanded permission to settle in England, and produced a bull from the pope, forbidding all persons whatsoever to reproach or molest them; and empowering them to excommunicate all who should violate that privilege. The council, however, did not think proper to grant their request, but sent them back, on pretence of adhering to the canon of the council of Lateran.

Not long after the Bethlehemites, a new order of monks, settled in Cambridge. This was a kind of order in commemoration of the Star which appeared to the Wise Men, at the birth of our Saviour; and therefore they wore a red star with five points upon their breasts.

LEARNED MEN in the XIIIth CENTURY.

LEARNING during this period was considerably improved, and was the parent of many useful inventions all over Europe; but it still continued to reside chiefly among the religious, especially in England. Amongst these,

Grosetest (or Greathead), bishop of Lincoln, who distinguished himself by a vigorous opposition to the extension of the papal authority in the time of Henry III. holds the first rank, as an able divine and a great scholar. His principal performance was a translation from the Greek into Latin of the Testament of the twelve Patriarchs.

The pope (Innocent IV.) had been so used to treat the English bishops with haughtiness, that he could not bear the spirited behaviour of this prelate, who had refused to receive certain papal provisions, which he conceived derogatory to the rights and liberties of the English clergy: Innocent sent him a threatening brief upon the occasion; which Grosetest tore and trampled under his feet, in sight of all his clergy. Not contented with having expressed his disdain in this manner, he wrote a letter to the pope, with such spirit and freedom as seems almost incredible, considering the superstition of those times, and the abject state of submission in which the clergy in general were held by the Roman pontiffs. He was born at Stodbroke, in Suffolk, and died on the eighth of October, 1253.

Richard Poor, at first bishop of Salisbury, and from thence translated to the see of Durham, is remarkable upon two accounts: his persuading the inhabitants of Sarum to remove to a more advantageous situation, where Salisbury now stands, and where he founded that noble cathedral which remains to this day: and for his Synodical Constitutions, which he enacted for the use of the church of Salisbury.

Alexander Hales, born in Gloucestershire, a great canonist, and styled (according to the monkish cant of those days) the Irrefragable Doctor, was professor of divinity in the university of Paris. He composed Annotations on the Bible, and several tracts in logic and metaphysics.

Sewald, archbishop of York, was an able divine, and remarkable for the purity of his life. He was so incensed at the impudent exactions of the court of Rome, that he could not forbear writing a letter of complaint to the pope, in which he desires his holiness to remember, that "when Christ gave the charge of his flock to Peter, it was that he might feed them, and not fleece or slay them."

Robert Kilwarby, a Cordelier or Minorite, was archbishop of Canterbury in the reign of Edward I. and was a prelate of eminent learning, for the age he lived in. He wrote several theological tracts, which were in great repute in those days. Being made a cardinal, he resigned his archbishopric, and died at Rome.

Robert Burnell, bishop of Bath, was deeply read in the civil and canon law; he wrote several theo-

logical tracts, with Commentaries on the Holy Scriptures.

John Britten, bishop of Hereford, chiefly excelled in the knowledge of the common law, on which he wrote a treatise, called *De juribus Anglicanis*. He died in 1275, in the reign of Edward I.

About this time the learned and ingenious Roger Bacon (a Franciscan Friar of Oxford) flourished. His great skill in mathematics brought on him the character of a magician, in an ignorant age, inso-much that he was sent to Rome by the general of his order, where he was imprisoned; but afterwards he cleared himself, and returned to England. He died in 1284, leaving several works behind him, of which some are still preserved in manuscript at Oxford. He is said by some to have invented the reading-glasses called spectacles.

Johannes Duns Scotus, commonly called the Subtile Doctor, lived in the reign of Edward II. He was a great champion for the immaculate conception of the blessed Virgin, in opposition to the famous St. Thomas d'Aquinas: hence arose the two sects of Scotists and Thomists. After having filled the posts of professor of divinity at Oxford and Paris, he died at Cologne, in 1309 or 1310.

To these might be added a long list of schoolmen and founders of colleges; but as their works were confined chiefly to the superstitious theology of the times, their names would only swell the present page to little purpose; we shall therefore proceed to a review of the principal historians who flourished in the thirteenth and beginning of the fourteenth century.

The most distinguished of these, and, indeed, the shining light of the English history at the time in which he wrote, was Matthew Paris. He lived and died in the reign of Henry III. and was a monk of St. Alban's. His History of England, from the Conquest to his death, which happened A. D. 1259. the forty-third of Henry III. is sufficiently known, as it has been constantly cited, though with various degrees of credit, by all modern writers. His History was continued to the death of Henry III. by

William Rishanger, a monk of the same fraternity, but of inferior abilities.

Walter, a monk of Coventry, wrote three books of Chronicles, chiefly collected from historians his predecessors, but selected with judgment and fidelity, with the addition of some new matter of his own. He wrote in the reign of Henry III. In the same reign likewise lived

Nicholas Trivet, prior of a monastery of Dominican Friars in London: he wrote a General History of Europe, beginning with king Stephen, and continued down to the year 1307. His work is chiefly valuable for the excellent Chronological Tables therein, shewing, at the beginning of every year, the year of Christ, the year of the reigns of the popes, the emperors, and the kings of France and England: but he is rather too concise.

L A W S.

THE laws of England were greatly enlarged and improved during the period before us, as will clearly appear from the review we are about to make of the several acts and statutes passed by the great assembly of the nation, from time to time, during the reigns of Henry III. and of Edward I. and II.

H E N R Y III.

IN the twentieth year of this king's reign a parliament was holden at Merton in Surry, in which a new body of laws was passed in favour of the people, containing some farther concessions on the part of the crown, and are, as it were, amendments to the Great Charter. From the place where they were enacted, these laws were generally called by the name of

The STATUTES of MERTON.

The introduction, or title, of those statutes, and their contents, are as follow: "It is provided in the court of our sovereign lord the king, holden at Merton, on Wednesday, the morrow after the feast of St. Vincent, in the twentieth year of the reign of king Henry, the son of king John, before William, archbishop of Canterbury, and others his bishops and suffragans, and before the greater part of the earls and barons of England there; being assembled for the coronation of the said king, and Eleanor the queen, about which they were all called; where it was treated for the commonwealth of the realm, upon the articles underwritten, viz. thus it was provided and granted, as well of the aforesaid archbishops, bishops, earls, and barons, as of the king himself and others."

The Ist of which ordains, what damages widows shall recover, after the death of their husbands, from such as have deforced them of their dowers, that is to say, the value of the whole dower to them belonging, from the time of the death of their husbands, to the day of the judgment obtained in the king's court for the same; and the deforcers withal to be amerced for the same, at the king's pleasure.

The IId grants widows a power to bequeath the crop on the ground, as well of their dowers, as of their other lands and tenements.

The IIIId appoints how to proceed in disseisins that have redisseised those who have recovered seisin or possession from them by assize of Novel disseisin, to wit; that the persons thereof convicted, shall be forthwith taken and kept in the king's prison, and not be discharged, but by fine or some other means. And the plaintiff shall farther have the king's writ directed to the sheriff, containing the plaint of disseisin done upon disseisin; upon receipt of which, he shall take with him the keepers of the pleas of the crown, and other lawful knights, and in his proper person shall go unto the said land, &c. and if, by the inquisition of the jurors, and other neighbours, they find him again disseised, the sheriff shall then deliver him the seisin or possession; and if it be found otherwise, the plaintiff shall be amerced, and the other go quiet. And in the same manner shall be done to them that have

recovered their seisin by assize of Mort d'ancestres; and so it shall be of all lands and tenements recovered in the king's court by inquests, if they be afterwards disseised by the first deforcers, against whom they have before recovered by inquest.

The IVth ordains, that the lords of manors may make profit of the residue of the manors, as of their wastes, woods, and pastures, provided their feoffees and free tenants have sufficient pasture, with free egress and regress from their land unto the pasture, for as much as belongeth to their tenements; and if they allege they have not sufficient pasture, according to their holdings, then the truth is to be enquired into by an assize, &c.

The Vth provides, that from henceforth usury shall not turn against any one under age, from the time of the death of his ancestor (whose heir he is) until his lawful age. — This law is either obsolete or repealed.

The VIth appoints the penalties for ravishment of a ward from his lord's custody, and for the disappointment of the lord by his ward's marrying himself without his consent also.

The VIIth provides, that the ward shall pay, at his full age, to his lord, the value of his marriage, in case he refuse the party whom his lord requires him to marry.

The VIIIth contains several limitations of prescription, relating to the dates of divers writs, now obsolete.

The IXth declares, that he is a bastard who is born before the marriage of his parents. But to the king's writ of bastardy, whether one born before matrimony may inherit in like manner as he that is born after matrimony, all the bishops answered, "That they would not, neither could, answer to it, because it was directly against the common order of the church." And all the bishops were urgent with the lords, that they would consent, that all such as were born before matrimony, might claim as to the succession of inheritance, for so much as the church accepteth such for legitimate. But all the earls and barons, with one voice, answered, "That they would not consent that the laws of the realm should be changed (*nolumus leges Angliæ mutari*) which hitherto had been used and approved of." — This I have set down at large, because it shews a worthy constancy of the nobility of England, in not permitting the ancient laws thereof to be changed, for the sake of the ecclesiastical or canon law.

The Xth provides and grants, that every freeman, who oweth suit to the county, tything, hundred, and wapentake, or to the court of his lord, may freely make his attorney to do those suits for him.

But as for the next, concerning trespasses in parks and ponds, it is not yet discussed: for the lords demanded the proper imprisonment of such as they should take in their parks and ponds; but it appears here, that the king denied, wherefore it was deferred.

In the year 1253, the thirty-eighth of this reign, we find the original of the ordinance of watch and ward, in the following proclamation, which he caused

caused to be published on account of the then disorderly state of the realm.

"It is ordered that the following of hue-and-cry be made in such manner, that persons neglecting and refusing to follow the hue, be taken as accomplices of malefactors, and delivered over to the sheriff: and moreover, let four or six men be provided in each town according to the largeness of the town, for readily and instantly pursuing the hue-and-cry, and to prosecute malefactors if they came amongst them: they must be armed with bows and arrows, and other light armour, which ought to be provided at the charge of the whole town, and always to remain for the use of the same: and besides these, let there be provided, out of every hundred, two free and loyal gentlemen, who may be overseers, to see the aforesaid watch and prosecution duly observed."

THE STATUTES OF MARLBIDGE, OR MARLBOROUGH,

Made on the eighteenth of November, 1268, in the fifty-second year of this king's reign, were formed upon a fair review of former statutes and ordinances, particularly the Oxford Provisions, many of which, not hitherto mentioned in the course of this history, were now received and enforced. They will, upon an attentive perusal, appear to be, in many respects, the foundation of the English laws now in practice. The title of these statutes run thus:

"In the year of grace 1267, and the two-and-fiftieth year of the reign of king Henry, son of king John, in the octaves of St. Martin, for the better estate of this realm of England, and for the more speedy ministration of justice as belongs to the office of a king, the more discreet men of the realm being called together, as well of the higher as of the lower estate, it was provided, agreed, and ordained, that whereas the realm of England had of late been disquieted with manifold troubles and dissensions, for reformation whereof statutes and laws be right necessary, whereby the peace and tranquility of the people may be preserved; wherein the king, intending to devise convenient remedy, hath made these acts ordinances and statutes underwritten, which he willeth to be observed for ever, firmly and inviolably, of all his subjects, as well high as low." This body of laws is divided into twenty-nine chapters which are in substance as follows.

Cap. I. Appoints all persons that shall distrain other mens goods and chattels of their own authority, without the award of the king's court, and be convicted thereof, shall be punished by fine according to the trespass, though they have had no damage or injury done them.

The II^d ordains, that no man shall be distrained to come to the lord's court, which is not of fee or place, where he hath no jurisdiction by reason of hundred or bailiwick; nor shall take distress out of the fee or place where he hath no bailiwick or jurisdiction.

The III^d ordains, that such as will not suffer such distresses to be delivered by the king's officers after the law and custom of the realm, or will not suffer summons, attachments, or executions of judgment given in the king's court to be done, he shall be punished in manner aforesaid, as one that will not obey the law, and that according to the quantity and offence; but excepts all lords distraining

their tenants for services and customs, or any other thing, being due to them, whereby the lord of the fee had cause to distrain; though it be afterwards found that the same services are not due, yet the lord shall not therefore be punished by fine, but shall be amerced as hitherto had been used.

The IVth ordains, that henceforth no distress shall be driven out of the county where it was first taken; and that such distresses shall be reasonable and not too great; and he that shall do otherwise to be grievously amerced for such excesses.

The Vth contains a confirmation of the Great Charter and that of Forests, and that for the future they shall be observed in all points; and the offenders, when convicted, to be grievously punished.

The VIth ordains, that fraudulent conveyances made to defeat lords of their wardships, shall be void; otherwise not.

The VIIth ordains what sort of process shall issue out against deforcers upon wards, and who refuse to answer process in communi custodia: needless to be further mentioned.

The VIIIth reinforces the punishment of such as commit re-disseisin, to the same effect as in the Statute of Merton, with this addition, that if it be found that the sheriff had set any man free contrary to this ordinance, he shall be therefore grievously amerced.

The IXth ordains in what manner suits to courts of great lords or others shall be observed; that none who is infeoffed by deed, shall from henceforth be distrained to do such suit in the court of his lord, without he be especially bound thereto by the form of this deed; those only excepted, whose ancestors, or they themselves, have used to do such suit before the first voyage of the said king Henry into Brittany, which was thirty-nine years before the making of this act; and if the lords of the fee do distrain their tenant for such suits, contrary to this act, then, at the complaint of the tenants, such lords shall be attached to appear in the king's court, to make answer thereunto at a short day, and shall have but one essoin therein, if within the realm; and immediately the beasts or other distresses shall be delivered to the plaintiff, and so to remain till the plea between them be determined: and if such lords shall not appear at the day given them by their essoin, the plaintiff shall be dismissed without any day assigned: so likewise tenants, that, after this act, shall withdraw from their lords their due suits, shall be proceeded against after the manner as the lords are ordained to be.

The Xth provides that archbishops, bishops, abbots, priors, earls, barons, or any religious men or women shall not need to come to the sheriff's tourns, unless especially required for some other cause; but the tourn shall be kept as it hath been used in the time of the king's progenitors; and they that have hundreds of their own to keep, shall not be bound to appear at any such tourns, but in the bailiwicks where they dwell.

The XIth ordains, that no fines be taken for beau pleader, or fair pleading.

The XIIth appoints what days shall be given in pleas of dower, in assizes of D'arrein presentment, and in a plea of Quare impedit of churches vacant; which, since they recite only to forms of process, need not be farther insisted on.

The XIIIth ordains, that when a man hath put himself upon any inquest, after issue joined the

plaintiff

plaintiff shall have but one essoin, or make default, so that if he come not at the day given him by the essoin, or make default the second day, then the inquest shall be taken by his default, and according to the same inquest they shall proceed to judgment.—The rest being not very material, I omit.

The XIVth appoints in what cases such as have charters of exemption from purchasers, being impannelled in assizes, juries, and inquests, shall be sworn; that is, in such cases where their oaths are so requisite, that without them justice cannot be administered, as in great assizes, perambulations, and in deeds of covenants where they be named for witnesses, or in attainments, and in other like cases, they shall be compelled to swear.

The XVth declares, that it shall from henceforth be lawful for persons, for any manner of cause, to take distresses out of his fee not in the king's highway, nor in the common street, but only to the king, or his officers having special authority to do the same.

The XVIth appoints what remedy the heir in ward shall have, when he comes of full age, against his lord, if he refuses to surrender his land without plea.—All which proofs being now taken away by a statute of Charles II. I only mention it.

The XVIIth provides, that guardians in socage shall whilst the heir is within age, make no waste, nor sale, nor any destruction of the same inheritance, but shall safely keep it to the use of the said heir, so that when he cometh to his lawful age they shall answer to him for the issues of the said inheritance by a lawful accompt; saving to the same guardians their reasonable costs; and that such guardians shall make no profit by the marriage of such heirs, but for the said heirs advantage.

The XVIIIth appoints, that justices especially assigned to take assizes, or to hear and determine matters, shall from henceforth have no power to amerce for default of common summons, but only the chief-justices, or justices in eyre, in their circuits.

The XIXth appoints, that in counties, hundreds, court-barons, or in other courts, none shall need to swear to warrant his essoin.

The XXth, that none from henceforth, except our lord the king, shall hold in his court any plea of false judgment given in the court of his tenants; for such plea especially belongeth to the crown and dignity of our lord the king.

The XXIth appoints, that the sheriff, after complaint to him, shall grant replevins upon all distresses taken within the county, unless they were taken within any liberties; and if the bailiffs thereof will not deliver them, then upon their default the sheriff may do it.

The XXIIth. None from henceforth may distrain his freeholders to answer for their freeholds without the king's writ; nor shall cause his freeholders to swear against their wills, for no man may do that without the king's commandment.

The XXIIIth provides, that if bailiffs, who ought to make accompts to their lords, do withdraw themselves, and have no lands or tenements whereby they may be distrained, then they shall be attached by their bodies, so that the sheriff, in whose bailiwick they be found, shall cause them to appear to make their accompts: also farmers, during their terms, shall not make waste, sale, nor exite of the houses, woods, &c. nor of any thing belonging to the tenements that they have to farm, without

special licence had by writing of covenant, making mention that they may do it; which if they do, and thereof be convicted, they shall yield full damage and be grievously punished by amercement.

The XXIVth ordains, that justices in eyre from henceforth shall not amerce townships in their circuits, because all persons of twelve years old came not before the sheriffs and coroners to make enquiries of robberies, burning of houses, or other things pertaining to the crown, so that there came sufficient out of these towns by whom such inquests may be made full; except inquests for the death of a man &c. and other cases there mentioned.

The XXVth ordains, that manslaughter, where it is found by misfortune, shall not be judged before the justices.

XXVIth provides, that none being vouched to warranty before the justices in eyre, in plea of land or tenement, shall be amerced from henceforth because he was not present when he was vouched to warranty; but that upon summons by the sheriff he shall have three or four days time to come in and make his appearance; and if he dwelt out of the shire, then to have fifteen days at least for that purpose.

The XXVIIth ordains, that where a clerk, one in holy orders, is arrested for any crime or offence touching the crown, and is thereupon by the king's command let to bail, his sureties or bail shall not be amerced if they bring him before the justices, though he will not, nor cannot, answer by reason of his clerical privilege.—But this is now taken away by the statutes of Henry VIII. cap. 1 and 32 Henry VIII. cap. 3.

The XXVIIIth provides, that all bishops and prelates of the church may have actions, to demand the goods of the church, against such as have trespassed upon and taken them away from their predecessors, whether they had sued their right for such wrongs, or whether they did not pursue their right during their lives: the like remedy also against such as have intruded into the lands and possessions of any bishopric, or abbey, during its vacancy, in which case the successors shall have a writ to recover their seisin, and damages shall be awarded them as in an assize of Novel disseisin.

The XXIXth ordains, that a new original writ of entry, called Sur disseisin in the post, be provided by the council of our lord the king, in case of such alienations that may happen to be made in such and such degrees there mentioned, when, by reason thereof, a common writ of entry cannot be made in the form before-times used.—As for the form of this writ, the reader may if he pleases consult the Register fol. 228. Fitzh. N. B. f. 291.

It is in these statutes that we are to fix the great and the lasting merit of this reign; they gave the finishing stroke to the hardships of the feudal tenures: and the crown, when possessed of all the power which the constitution allows it, found itself, from the spirit of the people, obliged to make concessions, which it had refused even under its greatest difficulties.

There are some other temporary edicts or laws of this king, which, though they are not in any of our records or law-books, but only mentioned by some of our historians, yet they ought not to be omitted; such is that edict of his which we find in

Matthew

Matthew Paris, under the year 1228, when the king, in his return from York to London, perceiving the measures of grain, wine, and ale to be extreme false and scanty, he commanded them to be all broken or burnt, and others of a larger size to be made in their room; and also, that the weight of bread should be increased; and ordered the offenders against this edict to be severely fined: which I take notice of, because they were made several years before the statute or assize of bread and beer, which will be found by the date was not made till the fifteenth of this king.

Besides this, we find in the same author's Aditaments, that, in a parliament held at London, A. D. 1246, there were some laws made with severer penalties against those that robbed parks and warrens, to this effect: if the malefactor fled or was killed, there was neither law nor appeal allowed for his death: if an earl, baron, or knight complained to the king that his deer were stolen, inquisition was to be made thereupon by the king's writ; and if he who was indicted, was thereupon convicted, he was to lie in the king's prison a year and a day, and to pay three years value of his estate, having sufficient allowed him out of it to maintain him; of which fine the king was to have two parts, and he that received the injury one; and then he was to find twelve sureties, that he should never offend in the like kind in any parks, warrens, or forests, or do any thing against the king's peace; and these were to answer for his body and his transgressions: and if any one were taken in a park or warren, he was to be imprisoned and fined, and also to give sureties as before.

There are, likewise besides these temporary statutes, certain other edicts or precepts of this king, which not being found in any of our statute-books, are only extant among the records of the Tower; such are these that follow, viz. That of Rot. Pat. 3 Hen. III. m. 3. which contains the king's writ to the bishop of Bath and Wells, and to his fellow justices itinerant for the counties of Dorset, Somerset, and Oxford, with divers other shires therein mentioned, enjoining them, that in all trials, for the future, they omit those of ordeal by fire and water, as being forbid by a decree of the pope and council. And though ordeal was never taken away by an act of parliament, yet being forbid by the pope, and also looked upon as superstitious, and a very uncertain way of trial, it was therefore, at the king's command, laid aside by the judges, and soon after grew quite out of use.

The second is Rot. Claus. 19 Hen. III. m. 22. Inst. containing the king's writ to the sheriffs of London, strictly commanding them to put down all schools of laws, or the teaching them, within the city for the future.

Mr. Selden has very clearly proved, in his Dissertation upon Flete, it was the canon, and not the common or statute laws, that were hereby forbid to be taught.

This king fixed the standard of weights and measures, in the manner already mentioned, p. 460.

TAXES in the reign of HENRY III.

As to the taxes of this king's reign, they were so many and various, that to have set down every one of them would have perplexed the history; I have therefore thrown together a view of the most

considerable of them, from our best historians, and they are as follow.

The parliament held at Northampton, in the octaves of Holy Trinity, 1224, granted the king two shillings on every plough-land; and the king granted to the great men a scutage of two marks sterling on every knight's fee.

The parliament called at Westminster, at Christmas, 1224, granted the king a fifteenth of all moveables, as well of the clergy as laity of the whole kingdom, for the grant or confirmation of Magna Charta: one half of this fifteenth was collected soon after Easter, and the other half was to be gathered the Michaelmas following.

A fortieth part of moveables was granted.

A. D. 1226, the eleventh of Henry III. he wrote to the bishops and clergy of Ireland, to give him a fifteenth of all their moveables, as the bishops and clergy of England had then done.

King Henry compelled the citizens of London to pay him five thousand marks, because they had given so much to Lewis, late king of France, when he left England, and levied a fifteenth.

At the same time he took for an aid, from the burgeses of Northampton, twelve hundred pounds, besides a fifteenth.

He likewise forced all religious, and beneficed clerks, to pay a fifteenth as well out of their spirituals as temporals; and those who were unwilling to pay, were compelled either by the king's authority or ecclesiastical censures.

Soon after, the religious and others had notice, that unless they renewed their charters, the old ones should be of no advantage to them; and for the renewing every one paid according to his faculty, at the justiciary's discretion.

In the year 1230, archbishops, bishops, abbots, and priors, gave a great sum of money for recovering his rights beyond sea. At the same time he put the citizens of London to a grievous redemption; and forced the Jews to pay a third part of what they were worth.

In the year 1231, the king required a scutage of three marks on every knight's fee, of all that held baronies, as well laymen as prelates. It was opposed by the archbishop of Canterbury and some other bishops, but agreed to by all others.

On the fourteenth of September, in a parliament held at Lambeth, a fortieth part of all moveables, as well of ecclesiastics as laymen, was granted to the king, and was collected the latter end of October following.

A. D. 1235, he took two marks of every plough-land, at the marriage of Isabella, his sister, to Frederic, emperor of Germany, and gave with her thirty thousand marks. At the same time there was a thirtieth of moveables granted by the bishops and great laymen.

A scutage of two marks on every knight's fee, granted by archbishops, bishops, abbots, priors, and other ecclesiastical persons, &c. It is very probable this was the same scutage which was given for the marriage of his sister with the emperor.

A. D. 1237, a thirtieth part of all moveables was granted to the king.

In the year 1242, about Michaelmas, the king required a scutage of three marks for every knight's fee throughout all England: so Matthew Paris; according to others, only twenty shillings: but we do not find that this was ever raised.

A. D.

A. D. 1244, in a council held at London, three weeks after Michaelmas, twenty shillings on every knight's fee was granted to the king, for the marriage of his eldest daughter; one half to be paid at Easter, the other half at Michaelmas following.

A. D. 1253, the clergy granted the king the tenth of all ecclesiastical revenues for three years; and the nobility, or knights, three marks on every knight's fee, for the relief of the Holy Land, upon his confirmation of Magna Charta. Three years tenths of all church-revenues were also granted to the king by the pope.

This year also a grant was made to the king of the twentieth part of all grain, live stock, and other moveables, as well by the great men and knights as other laymen: and who these other laymen were, that are mentioned in this record, appears from the City Chronicle, in the book "*De antiquis legibus*," where, in the latter end of this king's reign, under this year, are these words: "*Eodem anno, omnes liberi homines de regno, tam de villis, quam de civitatibus & burgis & alibi, dederunt regi vicesimam partem omnium bonorum suorum mobilium, ad expensas faciendas in itinere ad terram Jerosolomitam.*" But the reader is to observe, that all such tallages and exactions as were contrary to Magna Charta, and raised by the king without the consent of parliament, or clergy in a synod or convention, were unjust and illegal, and are so noted by Matthew Paris and most of our historians.

EDWARD I.

THIS prince, for the new model he gave to the English law, deservedly has the name of the English Justinian; and proved to his countrymen, of more advantage in his civil than his military capacity, great as it was.

THE FIRST STATUTE OF WESTMINSTER,

So called because made there at his first parliament held after his coronation, is of great importance to the English constitution. The preface to this statute is in itself very remarkable, and gives us a perfect account of the business for which this parliament met.

"These are the acts and establishments of king Edward, son to Henry, made at Westminster, at his first general parliament after his coronation, on the Monday after Easter, in the third year of his reign, by his council, and by the consent of the archbishops, bishops, abbots, priors, earls, barons, and all the commonalty of the realm, thither summoned.

"Because our sovereign lord the king had great zeal and desire to redress the state of the realm in such things as required amendment, for the common profit of holy church and the realm; and because the state of the realm and holy church had been evilly kept, and the prelates and religious of the land grieved many ways, and the people otherwise entreated than they ought to be, the peace less kept, and the laws less observed, and offenders less punished than they ought to be; by reason whereof the people of the land less feared to offend: the king hath ordained and established these acts underwritten, which he judges to be necessary and profitable for the whole realm."

Cap. I. In the first chapter, after the king's willing and commanding the peace of holy church and of the land to be well kept in all points, and that common right be done to all men without respect to persons, he then proceeds to forbid all great men to oppress any religious houses or monasteries, by eating or lodging in them without their own consent: which statute as it is now obsolete by the dissolution of abbeys and monasteries, I have only given this short mention of it.

Cap. II. That a clerk when taken as guilty of felony, and demanded by the ordinary, shall be delivered to him according to the privilege of holy church, on such peril as aforetime has been accustomed; and the bishops are hereby admonished not to deliver any interdicted of such offence, without due purgation.

Cap. III. That nothing be demanded, taken, or levied by the sheriff, or others, for the escape of a thief or felon, till it be adjudged an escape by the justices in eyre, upon such penalties as are therein provided.

Cap. IV. Concerning wrecks, it is provided that if a man or any living creature escape out of a ship, such ship and all that is in it shall not be adjudged a wreck; and that the goods therein, upon suit and proof made by the owner within a year and a day, shall be forthwith restored to him; otherwise, if the time be lapsed, they shall remain to the king.

Cap. V. That no great man, nor other, by force of arms or menaces, upon great forfeiture, shall disturb any from making free elections.

Cap. VI. That no city, borough, nor man be amerced without reasonable cause, and according to the quality of the person and quantity of his trespasses; that is to say, every freeman saving his freehold, &c.

Cap. VII. This is now obsolete, but the purport of it is, that no constable nor castellan shall exact any prizes or duties of any but such as be of their own town or castle.

Cap. VIII. The next is against taking any thing for fair pleading, as had been published in the time of Henry III. his father.

Cap. IX. That all persons shall be ready, at the summons of the sheriffs and cry of the county, to pursue and arrest felons; and those that will not so do, and thereof be attainted, shall be grievously fined to the king; with other causes belonging to lords of franchises, bailiffs, sheriffs, &c.

Cap. X. That through all shires sufficient men shall be chosen coroners, of the most discreet knights who may best attend upon that employment; and be so chosen, not to demand nor take any thing of any man for doing his duty, upon pain of great forfeiture.

Cap. XI. Whereas many who have been indicted and found guilty of murder, by favourable inquest taken by the sheriffs and the king's writ *De odio et otia*, were bailed till the coming of the justices in eyre; this provides, for the future such inquests shall be taken by lawful men, chosen by the oaths of twelve men, of whom two at least to be knights, as shall be unsuspected of having any affinity with the prisoners.

Cap. XII. Notorious felons who refuse lawful trial, shall suffer strong and hard imprisonment; but not those that are taken upon slight suspicion.

Cap. XIII.

Cap. XIII. None shall ravish, or take away by force, any maid within age, whether by or without her consent; nor any maid or wife of full age, nor any other woman, against her will: but this is to be prosecuted within forty days, or the party loses their action.

Cap. XIV. The accessory in an appeal shall not be outlawed before the principal be attained; howbeit none shall intermit to commence their appeal at the next county, as well against the accessory as against the principal: but the exigent against those shall remain until the other be attended by outlawry or otherwise.

Cap. XV. Enacts what persons are not repleviable, or bailable, by common writ, or without writ, viz. persons outlawed, or such as have abjured the realm; approvers and such as be taken within the manor; prison-breakers, thieves openly defamed and known, appellees by provers during the life of such provers; house-burners, counterfeiters of the king's seal or coin, excommunicate persons, manifest offenders, and traitors.

Cap. XVI. None shall drive a distress out of the county, or distrain wrongfully or out of their fee, on pain of being grievously punished according as the Statute of Marlebridge, cap. iv. has provided in that case; or more grievously, if the manner of the trespass so require.

Cap. XVII. If beasts be driven into a castle or fortrefs, and there with-holden against pledges offered, and not suffered to be replevied by the sheriff, or other of the king's bailiffs, after convenient notice to the detainer, &c. the king, for the said trespass and despite, shall cause the said castle or fortrefs to be demolished; and after the first demand made by the sheriff or bailiff, the plaintiff shall recover double damages against the lord or detainer; or if the detainer be not able, then of the lord only.

Cap. XVIII. Gives remedy against common fines and amerciaments, by providing that from thenceforth such sums shall be assessed by the justices in eyre before their departure, by the oaths of knights and other honest men, upon all such as ought to pay them.

Cap. XIX. The sheriff having received the king's debt, upon his next account shall discharge the debtor thereof, on pain of forfeiting treble to the debtors, and to make fine at the king's pleasure: farther, the sheriff, if alive, or if dead his heirs, shall answer all money which he or those he employs receive; and if any other that is answerable to the Exchequer by his own hands so do, he shall render treble to his plaintiff and make fine as before: and upon payment of the king's debt, the sheriff shall give a tally to the debtor, and the process for levying the same shall be shewn him upon demand, without fee, upon pain of being grievously punished.

Cap. XX. Trespassers in parks or ponds shall give treble damages to the party grieved, suffer three years imprisonment, be fined at the king's pleasure, and give surety never to offend again in the like kind; and if they cannot find security, they shall abjure the realm; or being fugitive, shall be outlawed.

Cap. XXI. Guardians shall keep the lands of wards without destruction, according to the Magna Charta, cap. iv, v. and so shall archbishoprics, bishoprics, and all spiritual dignities, be kept in time of their vacation or being void.

Cap. XXII. This is concerning female wards, and the age whereat they shall be married by their

guardians: but all wardships being since taken away, we need not mention any more of it.

Cap. XXIII. That in no city, town, or other place, any foreign person, who is in this realm, shall be distrained for debt, unless he be debtor or pledge; and whoever does it, he shall be grievously punished, and the distress be delivered to him by the bailiffs of the place, or by the king's.

Cap. XXIV. That if any escheator, sheriff, or other bailiff of the king's do, by colour of his office, without special warrant, disseise any man of his freehold, &c. it shall be in the disseisee's election, whether the king shall, upon complaint, cause it to be amended, or the disseisee will sue by the writ of Novel disseisin; but if the disseisor be cast, he shall pay double damages and be grievously amerced besides.

Cap. XXV. No officer of the king shall maintain pleas of lands, or other things, to have part thereof, or other profit, by covenant between them made, on pain of being punished at the king's will.

Cap. XXVI. No sheriff, nor other the king's officer, shall take any reward to do his office, but shall be paid by the king; and if he do so, he shall pay double, and be punished at the king's will.

Cap. XXVII. No clerk shall take any thing for delivering of chapters, but only those of the justices errants in the eyres: and they to take but two shillings: and he that exacts more, shall pay treble as much as he has taken, and lose the service of his master for one year.

Cap. XXVIII. No clerk of the king's, or any justice, shall receive the presentment of any church for which any debate is in the king's court, without his special licence, on pain to lose the church and his service: nor shall any justice or sheriff's clerk take part in any suits, or use fraud, whereby common right may be delayed, on pain to be punished as aforesaid, or more grievously if the trespass require it.

Cap. XXIX. If any serjeant or pleader do act, or consent to, any deceit in the king's court, to beguile the court or party, upon being attainted he shall be imprisoned for a year and a day, and not suffered to plead in that court any more; and if he be no pleader, at least he shall be imprisoned for a year and a day; and if they deserve greater punishment, it shall be at the king's pleasure. Officers, cryers, and marshals of justices in eyre, shall not take money otherwise than they ought to do, on pain to pay the treble thereof to the complainants.

Cap. XXX. This provides remedy against taking excessive tolls in market-towns, belonging either to the king or others, under the penalties therein mentioned; as also against citizens or burghesses, for taking more for the charge of murage of their town than they ought by their grant from the king, or his father, by losing their grant and being grievously amerced to the king.

Cap. XXXI. Is to remedy the unjust taking of victuals, &c. by way of purveyance for the king's use, without paying for them: and appoints certain penalties upon those that do so. But this being now grown obsolete, it is enough barely to mention it.

Chap. XXXII. That no sheriff shall countenance barretors, or stewards of great lords, unless they be attorneys for their lords, to make suits, nor give judgment in the counties, &c. if not specially

cially required by the suitors and their attorneys; and if any do so, the king to punish both the sheriff and transgressor.

Cap. XXXIII. None is to tell or publish any false or scandalous news or tales, whereby discord may arise between the king and his people, or the great men of his realm, on pain of imprisonment till he bring forth the author.—The reader here may take notice, that upon this statute another act was founded in 2 Rich. II. cap. v. commonly known by the name of “*Scandalum magnatum*,” which we shall further speak of in its due place.

Cap. XXXIV. None except the king’s ministers, shall within a liberty arrest any person passing through the same, and holding nothing thereof, for any contracts, covenants, or trespasses made or done out of such liberty, on pain of paying double damages to the party grieved, and a grievous fine to the king.

Cap. XXXV. Concerning reasonable aid to make the king’s eldest son a knight, and to marry his eldest daughter, how much shall be taken from the king’s tenants for each kind, &c.—But this is now taken away by the statute of Wards and Liveries, 12 Car. II. cap. xxiv.

Cap. XXXVI. If any be attainted of disseisin done in this king’s time, with robbery of goods or otherwise, the disseisee, by assize of “*Novel disseisin*,” shall recover his seisin and damages; and the disseisor shall make fine whether he be present or not, but if present he shall be committed.

Cap. XXXVII. An attain is granted in plea of land freehold, or any thing touching freehold, when the king shall see it necessary.

Cap. XXXVIII. Seisin of one’s ancestor, in a writ of right, shall be from the time of king Richard I. in an assize of “*Novel disseisin*,” and “*Nuper obiit*,” from Henry the third’s voyage into Gascony; and in a “*Mort d’ancestre*,” “*Cofinage ayd*,” and “*Niefe*,” from the coronation of Henry III.

Cap. XXXIX. In writs of possession, intrusion, &c. whereby land is demanded which ought to descend, revert, &c. if the tenant vouch to warranty, and the demandant counter-plead him, and aver, by assize or by the country, as the court shall award, that the tenant or his ancestor whose heir he is, was the first that entered after the death of him, whose seisin he demands, the averment shall be received if the tenant will abide thereupon; but if not, he shall be compelled to another answer unless his warrantor be present, who shall immediately enter into the warranty; and the demandant may have the like exception against the voucher, as he had against the first tenant.

Cap. XL. The champion of the demandant shall not be compelled, in a writ of right, to swear that he or his father saw the seisin of his lord, or his ancestor, and that his father commanded him to detain the right; but his oath shall be kept in all other points.

Cap. XLI. In a writ of Assize attainments and “*Juris utrum*,” after the tenant has once appeared in court, he shall not beessoined.

Cap. XLII. Parceners, or tenants jointly infeoffed, shall not fourch by essoin; that is, they shall have but one essoin among them at one day, as they were one sole tenant.

Cap. XLIII. An essoin of “*Ultra mare*” shall not be allowed, but made a default, if the demandant can prove that the tenant was within the four seas the

day of the summons, and three weeks after; but this only to be done before justices.

Cap. XLIV. That if the tenant or defendant make default after the first attachment returned, the great distress shall be awarded; and if the sheriff make no sufficient return he shall be amerced; with other clauses how returns shall be duly executed.

Cap. XLV. That one plea shall be decided by the justices of the King’s Bench before another matter be arranged, or plea commenced; but their essoins shall be entitled, judged, and allowed; yet let none presume to absent himself at the day appointed him.

Cap. XLVI. If a writ of “*Novel disseisin*” be purchased, and the disseisor die before the assize be passed, the heir shall have his writ of “*Entré sur disseisin*” against the heir of the disseisor; the like writs shall the heir of the disseisee have in case he die, &c. and here non-age of the heir of the disseisor, or disseisee, shall not prejudice either of their rights in assize: the same provision shall extend for the right of prelates, and other religious persons, whether disseisees or disseisors; and if the parties come to an inquest, and that passes against the heir of the disseisee, he shall give an attain gratis.

Cap. XLVII. This prevents all abuses of the chief lords by their making feoffments of the lands of their wards to their disinheritor; but wardships being since taken away, I only touch upon it.

Cap. XLVIII. In a writ of dower “*Unde nihil habet*,” the writ shall not abate by the exception of the tenant that she has received her dower of another before the writ purchased, unless she can shew that she received part of her dower of himself, and in the same town, before the writ purchased.

Cap. XLIX. This chapter or article contains a saving to the king of the rights and prerogatives of the crown.

Cap. L. Assizes of “*Novel disseisin*,” “*Mort d’ancestre*,” and “*D’arrein presentement*” shall be taken in Advent, Septuagesima, and Quaresme, or Lent, as well as inquests, and that at the special request of the king made to the bishops.

As for those that pass under the title of statutes, such as that of the extent of a manor, and that of the office of a coroner, made in the fourth year of this reign, they being at the best but ordinances passed by the king and his private council, I only mention the titles of them.

THE STATUTES OF GLOCESTER.

In the sixth year of his reign, he held a parliament at Gloucester, in which the statutes, since known by the name of the Statutes of Gloucester, were passed, and which added a farther degree of perfection to the municipal system of the English laws.

This act, the preamble says, “was to prevent the great mischiefs, damages, and disherisons which the people had before suffered, through default of the law, in diverse cases.” And therefore, in

Cap. I. Damages are given in assizes of “*Novel disseisin*,” as well against the alienee of the disseisor himself; so that every one shall answer for his own time. And for the rest of the chapter, concerning the damages that a disseisee shall recover in writs of entry and “*Novel disseisin*,” against him that is found tenant after the disseisor: as also those that shall be awarded in assizes of “*Mort d’ancestre*,” “*Cofinage*,” “*Ayel*,” and “*Bifayel*,” and those costs and damages that

that shall be recovered by the demandant; since they are cases now obsolete, or at least but seldom occur, I only touch upon them.

Cap. II. This is in favour of infants, when they sue for their inheritance, that an inquest shall pass for them, notwithstanding their non-age, and that without any limitation of time.

Cap. III. Whereas, before this statute, the heir of a tenant by courtesy was debarred of his inheritance by reason of the warranty of his father descending upon him, this act provides, that where a tenant by courtesy alienates his wife's land, his sons, having no assets by descent, shall not be barred from recovering the land by a writ of Mort d'ancestre of the seisin of the mother, although the father had obliged himself, and his heirs, by his deed to warranty.—This is too tedious to be inserted.

Cap. IV. This chapter, concerning free farmers not paying estovers for two or three years together, being now obsolete, I shall say no more of it.

Cap. V. An action of waste is maintainable against a tenant by the courtesy in dower, for life or years; and the party attainted thereof shall lose the thing wasted, and recompence thrice as much as the waste is taxed at. And as for waste done in the time of wardship, Magna Charta, cap. iv. shall be observed; and besides, the guardian shall recompense the heir for the waste done, if the wardship do not amount to the value of the damages before the heir's full age.

Cap. VI. This is concerning the right of an heir to recover by a writ of Mort d'ancestre; but it is now out of use, and therefore I only mention it.

Cap. VII. If a woman alien her dower in fee, or for life, the heir, or he to whom the land ought to revert after her death, shall immediately recover by a writ of entry in Chancery.

Cap. VIII. The chief matter in this is, that none shall have writs of trespass before justices, unless he will swear that the goods taken away were worth forty shillings at least. There are several other rules concerning pleas in trespass, which, since they relate only to matters of practice, I refer to the statute.

Cap. IX. This takes away all writs of enquiry for the death of a man, whether he was slain by misfortune, or in his own defence, or otherwise without felony; and prescribes a better course for the speedy bringing to trial all such offenders, by keeping them in prison till the coming of the justices in eyre, or goal-delivery; who having put them upon the county, and upon finding it per infortunium, or se defendendo, the justices making such report to the king, he shall take them to his grace, i. e. pardon them.

Cap. X. The husband and wife, being impleaded in the king's court, shall not fourch, i. e. prolong, an action by essoin, to more than partners, or two that hold in common.

Cap. XI. Provides against the fraud or collusion of the tenant of a freehold within the city of London, that he shall not, by a feigned recovery, defeat the title to him that holds under him for term of years. But this being particular to that city, I enlarge no more on it, but leave those whom it concerns to the perusal of the whole chapter.

Cap. XII. Gives remedy to a tenant in London vouching a foreigner to warranty, to have a writ out of Chancery to summons his warrantor before the justices, at a certain day; and another writ to

the mayor, &c. to surcease the matter before them, till the plea of the warranty be determined in the bench, then the plea to be returned to the city, &c. Which I pass by farther mentioning, for the same reason. But there is a correction of this chapter in the statute-book, which immediately follows the Statute of Mortmain, to which I refer the curious reader for his better satisfaction.

Cap. XIII. When a plea is moved in the city of London by writ, the tenant shall make no waste of estrelement of the land, hanging the plea; or if he do, the mayor, &c. shall cause it to be kept at the suit of the demandant. The same law to be observed throughout the realm.

Cap. XIV. Provides remedy for the disseisees in London, viz. damage by recognizance of the same assize, whereby they recovered their lands; and the disseisors to be amerced before two barons of the Exchequer, who are to resort into the city to do it; and the amerciements to be levied by summons of the Exchequer to the king's use.

Cap. XV. The mayor and bailiffs (now the sheriffs) of London, before the coming of the barons after Candlemas term, shall enquire of wines sold against the assize, and present it to them when they come, and defaulters to be amerced: whereas they were wont to tarry till the coming of the justices in eyre.

In his seventh year, in a parliament held at Westminster, in the beginning of November, the famous Statute of Mortmain was passed, to prevent the alienation of lay property in favour of the church: the particular reasons that gave birth to this act have been already discussed, in the civil history of this reign, we shall therefore proceed to give the statute itself, as it is to be found in Mr. Collier, vol. i. p. 480.

STATUTE OF MORTMAIN.

“Whereas of late it was provided, that religious men should not enter into the fees of any, without the licence and will of the chief lords of whom such fees be holden immediately; and notwithstanding such religious men have entered, as well into their own fees, as into the fees of other men, appropriating and buying them, and sometimes receiving them of the gift of others, whereby the services that are due to such fees, and which at the beginning were provided for the defence of the realm, are wrongfully withdrawn, and the chief lords do lose their escheats of the same: we therefore, to the profit of our realm, intending to provide convenient remedy, by the advice of our prelates, earls, barons, and others our subjects, being of our council, have provided, made, and ordained, that no person, religious or other, whatsoever he be, that will buy or sell any lands or tenements, or under the colour of gift or lease, or that will receive, by reason of any other title, whatsoever it be, lands or tenements, or, by other craft or engine, will presume to appropriate to himself under pain of forfeiture of the same, whereby any such lands or tenements may otherwise come into mortmain. We have provided also, that if any person, religious or other, do presume, either by craft or engine, to offend against this statute, it shall be lawful to us, and other chief lords of the fee, immediately to enter into the lands so alienated, within a year from the time of the alienation, and to hold in fee, and

as inheritance: and if the chief lord immediate be negligent, and will not enter into such fee within the year, then it shall be lawful to the next lord immediate of the same fee, to enter into the same land within a half year next following, and to hold it as before is said; and so every lord immediate may enter into such land; and if the next lord be negligent in entering into the same fee, as is aforesaid, and if all the chief lords of such fees, being of full age, within the four seas, and out of prison, be negligent or slack in this behalf, we, immediately after the year accomplished from the time that such purchases, gifts, or appropriations hap to be made, shall take such lands and tenements into our hands, and shall infeoff others therein, by certain services to be done to us for the defence of our realm, saving to the chief lords of the same fees their wards and escheats and other services thereunto due and accustomed. And therefore we command you, that you cause the aforesaid statute to be read before you, and from henceforth to be kept firmly and observed. Witness myself at Westminster the fourth day of November, in the seventh year of our reign."

After Easter, in the year 1258, Edward held a parliament at Westminster, where a new set of statutes, commonly called those of Westminster the Second, or "*De conditionalibus*," was passed, being that remarkable act that first created estates tail, of which the following is an abstract.

THE SECOND STATUTE OF WESTMINSTER.

Cap. I. That the will of the givers of lands, according to the form in the deed of gift manifestly expressed, shall be from thenceforth observed, so that they to whom the land was given, under such and such conditions, expressed in the statute, shall have no power to alienate that land so given, but it shall remain to their issue after their death, or revert to the giver or his heirs, if issue fail. Nor shall the second husband of any woman have any thing of the land given upon condition, after the death of his wife; nor the issue of such second husband and wife shall succeed in the inheritance, but, immediately after the death of the husband and wife unto whom the land was given, it shall return to the issue of the giver, or his heirs: and a new remedy is provided in this new case, by a writ of "*Formedon en descendre*," which is therein set down at large. This act shall extend only to gifts that are hereafter to be made; and fine hereafter to be levied upon such lands shall be void in law; neither shall the heir or reversioner, though of full age, within England and out of prison, need to make their claim.—This part, concerning fines, has been quite altered by several succeeding statutes, as 4 Henry VII. cap. xxiv. and 32 Henry VIII. cap. xxxvi.

Cap. II. Provides, that where, upon replevins, lords cannot obtain justice in county and other inferior courts against their tenants, when such lords are attached at their tenant's suit, a writ "*Recordare*" shall be granted them, to remove the plea before the justices, where justice shall be done them, and the cause shall be inserted in the writ, viz. because such a man distrained in his fee for services and customs due to him. The rest of the statute only prescribes the rules how to recover in such actions; and gives directions to sheriffs and bailiffs what to

do therein, under the penalties therein mentioned, and what other remedies the plaintiffs may have, in case of default, for which the reader is referred to the act.

Cap. III. A writ of entry, called "*Cui in vita*," is given to the wife, for the recovery of her land lost by the default of her husband in his life-time; and during his life he shall also be admitted to defend her right, provided she come in before her judgment. The like privilege is given to the reversioner, where the tenant in dower, by the courtesy for life, or by gift, doth lose by default, or willfully yield up the land.

Cap. IV. The wife shall be endowable as well where land was recoverable against her husband by default as by convin, so that albeit the land was lost by default, yet that shall be no good allegation for the tenant; but he must then proceed and shew his right, otherwise the wife shall recover. The rest of the act shews how tenants in dower, frank-marriage, &c. when they lose their land by default, may vouch the reversioner, if they have any warrant, with several directions what plea and process they shall make use of, for the recovery of their right.

Cap. V. Usurpations of churches during wardships, particular estates, coverture, or vacancy shall not bar the heir at full age, the reversioner, or remainder-man in possession of the femme-discovert, or a spiritual person in possession, from having the writ of advowson-posseffary, viz. "*Quare impedit*," or an assize "*D'arrein presentement*," as their ancestor or predecessor might have had, if the usurpation had happened in their time: but before this act, they were in such cases put to their writ of right of advowson. The rest of the statute is taken up in prescribing forms of pleadings and process in "*D'arrein presentement*," "*Quare impedit*," and other cases of the like nature, whether by coparceners, or any other sort of patrons.

Cap. VI. As the tenant shall lose the land in demand where the vouchee dischargeth himself of the warranty, so shall the warrantor lose where he denieth his warranty; if found on trial against him, that he is so bound, and where an inquest is depending between the tenant and the warrantor, and the demandant will require a writ to cause the jury to come, it shall be granted him.

Cap. VII. This is only concerning the writ of admeasurement of dower by a guardian: but the heir at full age shall not be barred by that suit, where it is prosecuted by collusion, &c.

Cap. VIII. Shews what remedy the plaintiff shall have in a writ of admeasurement of pasture upon the second over-charge, if the pasture was admeasured before the justices; and what remedy there is if the admeasurement was made in the county, and how to prevent fraud in the sheriff.

Cap. IX. Provides what remedy the chief lord shall have against the mesne-tenant for rent or services: but this is now obsolete, and wholly out of use, partly by taking away tenures, and especially by the chief lords parting with their rent and services of such tenants; and therefore it is needless farther to enlarge upon it.

Cap. X. Any person may make a general attorney to sue in all pleas, during the circuits of justices in eyre; howbeit that shall not excuse the party from being put upon juries and assizes before the same justices: it likewise prescribes within what time

time justices in eyre, or itinerant, shall appoint all writs to be delivered in to them, and then the sheriff shall certify the chief-justices in eyre, how many writs he hath, and what they concern: of which we need say no more in this place.

Cap. XI. Servants, bailiffs, or other accomptants, that are found in arrears by auditors assigned by their masters, upon the testimony of the same auditors shall be committed to the next gaol, and and there remain in safe custody, at their own costs, until they have satisfied their masters. The rest gives remedy to the accomptants, if they find themselves aggrieved by the auditors, by appealing to the barons of the Exchequer, who are to do justice therein: and also what process shall go out against the accomptant if he flees or will not come to a court.

Cap. XII. Upon a false appeal by malice, the appellant shall suffer a year's imprisonment, make fine to the king, and recompence damages to the appellant, at the discretion of the justices: but if the appellant is not able to pay damages, and an abettor through malice is found by the same inquest, such abettor shall also be punished by imprisonment and restitution of damages, as before.

Cap. XIII. Sheriffs, bailiffs of franchises, and others that take inquest of malefactors, shall do it by at least twelve lawful men, who shall put their seals to such inquisitions; and the said officers shall imprison such malefactors: if they imprison any without such inquests, the party grieved shall maintain an action of false imprisonment against him.

Cap. XIV. The process in actions of waste shall be summons, attachment, and distress; and if the defendant appear not upon the distress, a writ of enquiry shall be directed to the sheriff, to enquire of the waste; upon return whereof the court shall proceed to judgment, according to the Statute of Glocester, cap. v.

Cap. XV. If an infant be eloigned, so that he cannot sue personally, his prochain ami (the next of kin) shall be admitted to sue for him.

Cap. XVI. Appoints were an inheritance descends to an infant of the father's side that held of one lord, and the mother's side that held of another lord, which lord shall have the marriage of such infant: but this is now taken away by the statute of 12 Car. II. cap. xxiv. which destroyed wardships.

Cap. XVII. In the circuit of the justices, an essoin "*De malo lecti*" lieth not for lands in the same county, unless the party be sick indeed; for if, at the instance of the demandant, it be proved by inquest that the tenant is not sick, the essoin shall be turned to a default: but such an essoin shall not lie in a writ of right between two claiming by one descent.

Cap. XVIII. He that recovers debt or damage in the king's court, may, at his choice, have a writ to the sheriff of *Fieri facias* of the lands and chattels of the debtor, except oxen and plough-beasts; and the moiety of his land, by a reasonable extent, till the debt be levied: and if he be ejected out of the land, he shall have an assize, and afterwards a writ of disseisin if need be, and this last writ is called an *Elegit*.

Cap. XIX. The goods of an intestate dying in debt, shall be disposed of by the ordinary, to discharge it. But since letters of administration are now usually granted, either to some of the kindred

or creditors, I shall not enlarge upon it any more here.

Cap. XX. In writs of *Cofinage*, *Ayel*, and *Bifayel*, the tenants answer that the plaintiff is not next heir of the same ancestor, by whose death he demandeth his land, shall be admitted and enquired; and according to the same inquisition the justice shall proceed to judgment.

Cap. XXI. A *Cessavit* is hereby given to the chief lord against his freehold-tenant, that withhold his accustomed service per biennium: it is likewise maintainable by the heir of the demandant against the heir or assignee of tenant.

Cap. XXII. An action of waste shall be maintainable against one tenant in common, against another, of wood, turf-land, fishing, or the like; and when the cause comes to judgment, the defendant may chuse either to take his part in a certain place, to be set out by the sheriff with a jury, or grant to take nothing but as other persons do: and if he chuse to take his part in a place certain, the place wasted shall be assigned for his part. See the writ in the statute.

Cap. XXIII. Executors shall have a writ of *ac-compt*, and like action and process in the same writ, as their testator should if he had lived.

Cap. XXIV. A writ of nuisance shall be grantable as well against the alienee as against the party that first made it: when it is against the party himself, it shews how the writ shall run, and how to be altered when it is against the alienee. In like manner, a parson of a church may recover common of pasture by a writ of *Novel disseisin*; so his successor shall have a *Quod permittat* against the disseisor or his heir, though there never was such a writ granted out of the Chancery before. The next clause gives the clerks of Chancery to frame a new writ, where the law has not expressly provided one before, or the plaintiffs may adjourn it till next parliament.

Cap. XXV. An assize of *Novel disseisin* shall lie for estovers of woods, profits to be taken in woods, corrody, and other provisions; and the like process for other things, which are now out of use. The same writ shall likewise be had, if any, holding for years or in ward, alien the fee; and both the feoffers and feoffees, shall be taken for disseisors; but if the parties die, the remedy shall be by writ of entry; with other things relating to process, needless here to be farther inserted.

Cap. XXVI. In writs of *redisseisin* double damages shall be awarded, and the *redisseisors* shall not be repleivable by the common writ. And the like remedy is provided for those that have recovered by default, reddition, or otherwise, without recognition of assize or juries.

Cap. XXVII. An essoin shall be allowed the next day after inquest taken, but none at any of the other days following, nor after day given "*prece partium*."

Cap. XXVIII. In assizes for appearance, the demandant shall not be essoined.

Cap. XXIX. A writ of trespass "*Ad audiendum & terminandum*" shall not be granted but before the justices of either bench, or justices in eyre, unless it be for some heinous trespass which requires speedy remedy; but a writ to hear and determine appeals before justices assigned, shall not be granted but in a special case, and for a cause certain, and that at the king's command.

Cap. XXX. Two justices shall be assigned, before whom, and no other, assizes of Novel disseisin, Mort d'ancestre, and Attaint shall be taken; and shall associate with them one or two of the discreetest knights of the county for that purpose; and certain days are therein appointed for their sitting: which way of trial is now become quite obsolete, since the appointment of justices of assize, and gaol-delivery into the several counties for that purpose.

Cap. XXXI. When the justices will not allow a bill of exception upon prayer, if the party impleaded tender the same to them in writing and require their seals thereunto, they or one of them shall do it: and if, upon complaint thereof to the king, the exception so sealed be not found upon the roll, the justice shall be sent for, and if he cannot deny his seal, the court shall proceed to judgment according to the exception.

Cap. XXXII. Ecclesiastical persons are hereby debarred from taking land in mortmain, by way of collusion, without the king's licence, and therefore each mesne lord hath six months given to enter after the lord next before him, until it come to the king.

Cap. XXXIII. The privilege of setting up crosses upon lands, used by the Knights Templars and Hospitallers, to defend the tenants against the chief lords, are hereby taken away, and the lands forfeited in like manner as those alienated in mortmain.

Cap. XXXIV. If a man ravish a woman, married, maid, or other, without her consent, either before or after, he shall have judgment of death: and where a woman, of what quality soever, is ravished, albeit she consent after, yet he, being attainted thereof, shall have like judgment as before: and here the king shall have suit, as also of women carried away with the goods of their husbands, the king shall have the suit for the goods so taken away; but if she willingly leaves her husband, and goes away and continues with her advowterer, she shall be debarred from her dower, unless her husband be willingly reconciled to her, and suffer her to dwell with him.

Cap. XXXV. Gives a penalty against those that shall ravish or carry away wards, either male or female. But this is taken away by 12 Car. II. cap. xxiv.

Cap. XXXVI. None shall procure any, or detain another, to make him appear at the county-court, or any other inferior court, on purpose to vex him and put him to charge and trouble, on pain to make fine to the king, and to pay to the party grieved treble damages.

Cap. XXXVII. No distresses shall be taken but by bailiffs, sworn and known, on pain to restore damages to the party grieved, and to be grievously fined to the king.

Cap. XXXVIII. No more jurors shall be summoned in one assize than twenty-four: old men above the age of seventy, or sick or diseased, or that live out of the county, shall not be put on juries of petty-assize. There is also appointed what land jurymen ought to have, to qualify them to be impannelled: but this has been since altered by later statutes, and therefore is now become obsolete.

Cap. XXXIX. Is to prevent the ill execution and false return of writs by sheriffs, and their bailiffs, with the penalties they shall incur for the

same: but this relating wholly to matters of process, I shall leave those concerned to consult the statute at large.

Cap. XL. The suit of a wife, or her heir, after the death of her husband, shall not be delayed by the minority of the heir who ought to warrant the land.

Cap. XLI. If lands given to religious houses or hospitals, for alms or any other pious use, and they are alienated by the donees, the king, if he be founder, may seize them for his own use; with other things, which now signify nothing to us.

Cap. XLII. Contains an account of several ancient fees of marshal's chamberlains, porters of justices in eyre, and serjeants bearing a verge or mace before the justices at Westminster.

Cap. XLIII. Hospitallers and Templars shall draw none into suit before the keepers of their privileges, neither shall their keepers cite any to the prejudice of the king or his crown.

Cap. XLIV. Appoints what fees the vergers before the justices of Common Pleas, in their circuits, and also the chirographers and clerks, writing writs original and judicial, shall take: but these are since altered by other statutes.

Cap. XLV. Writs of execution shall be within the year; as also all things recorded before the king's justices, whether contracts, covenants, &c. and after the year a Scire facias shall be awarded, whereupon, if satisfaction be not made, or good cause shewn, the sheriff shall be commanded to do execution.

Cap. XLVI. The Statute of Merton shall not only bind the lords tenants, but neighbours also, that claim common of pasture as appurtenant to their tenements; but if any claim common by special feoffment or grant for a certain number of beasts, or otherwise, which is due to him of common right, he shall recover the same according to the form of such grant: with other things, for which I refer to the statute.

Cap. XLVII. Appoints when salmon ought not to be taken; nor young salmon with nets or other engines, at mill-pools: and the penalties for so doing, for the first, second, and third offence.

Cap. XLVIII. In what cases view of land shall, and shall not be granted; which is now, in great measure, grown out of date.

Cap. XLIX. No chancellor, treasurer, justices, or any of the king's council-clerks of Chancery, Exchequer, &c. shall receive any church advowson-land, or tenement in fee, by gift, by purchase to farm, by champetry, or otherwise, so long as the same thing is in plea, nor shall take any reward thereof, on pain of being punished at the king's pleasure, both buyer and seller.

Cap. L. And all these statutes, where the law faileth, lest suitors should depart from the king's court without remedy, new writs shall be provided in their cases. 2d Inst. 485.

Edward being pressed by his nobles to grant a renewal and confirmation of the two Great Charters, as also of certain additional articles for farther security of the subject, he readily complied with their request; and, having summoned a parliament to meet at Westminster, in the beginning of February, 1300, the twenty-ninth year of his reign, he there ordered the Great Charter, and that of Forests, to be read, together with the following articles upon them,

them, which were unanimously approved of by the assembly, and received the royal signature.

ARTICLES upon the CHARTERS.

Cap. I. The Great Charter, and that also of the Forests, shall be fully observed; and they shall be read four times in the year in a full county-court. There shall be three knights, or other substantial men, chosen by the commonality in every county, to hear and determine complaints concerning the charters, without such delays as is used at the common law; but they shall not in their proceedings prejudice the common law or the charters themselves, &c.

Cap. II. If a purveyor be attainted for taking any thing without a warrant, he shall be sent to the next goal, and suffer as a felon if the value of the goods do so require.

Cap. III. The stewards and marshals of the king's household shall not hold plea of freehold-debt, covenant, or contract, but only of trespass done within the house or verge; or of contracts and covenants, when both parties are of the house; and the plea of trespass shall be determined before the king's departure from the verge where the trespass was committed: and the plea thereof shall be speedy, *de die in diem*; and if the plea cannot be determined in time, the plaintiff shall have recourse to the common law. The steward shall take no cognizance of debt or other things, but of the people of the same household; and if any thing be done contrary to this act, it shall be holden as void. In case of death within the verge, where the coroner of the county is to make view, he, together with the king's coroner, shall do his office; and what cannot be done by the steward before the king's departure, shall likewise be left to the common law.

Cap. IV. Common pleas shall not be holden in the Exchequer contrary to the form of the Great Charter.

Cap. V. The chancellor, and the justices of his bench, shall follow the king, so as he may have always near him such as be learned in the laws, to order matters that shall come to the court.

Cap. VI. No writ concerning the common law shall be awarded under the petty seals.

Cap. VII. The constable of Dover castle shall not hold plea of any foreign county within the castle gates, except it concern the keeping of the castle; neither shall he restrain the inhabitants of the Cinque Ports to plead elsewhere, or otherwise than as they ought according to the form of their charter, confirmed by the Great Charter.

Cap. VIII. The people of every county shall have election of their sheriffs, where the shrievalry is not of fee: but this was altered by the statute of 14 Edw. II. "*De vicecomitibus*."

Cap. IX. None shall be impannelled but as is ordained by statute, and they shall be next neighbours, most sufficient, and least suspicious; that if the officer do otherwise he shall answer double damages to the party grieved, and be grievously amerced to the king.

Cap. X. Against conspirators, false informers, and embracers of inquests, the king hath provided a writ in the Chancery; and the justices of either bench and justices of assize shall, upon every plaint

thereof, award inquests thereupon, without writ, and do right without delay.

Cap. XI. None shall take upon him any cause in suit with an intent to have part of the thing sued for; neither shall any, upon any such covenant, give up his right to another; on pain that the taker shall forfeit to the king so much of his lands and goods as do amount to the value of what he hath purchased for such maintenance, to be recovered by any that will sue for the king in the court where the plea hangeth.

Cap. XII. Beasts of the plough shall not be distrained for the king's debt so long as others may be found, on such pain as is elsewhere ordained by statute, viz. "*De districtione Scaccarii*," 51 Hen. III. nor shall the great distresses be taken for his debts, nor driven too far; and if the debtor can find convenient security for some time, whereby to agree for the demand, the distress shall in the mean time be released; and he that doth otherwise shall be grievously punished.

Cap. XIII. The commons of every county shall chuse such sheriffs as shall not charge them, nor put the officer into authority, for rewards or bribes; nor lodge too oft in one place, nor with poor persons, nor men of religion.

Cap. XIV. Bailiwicks and hundreds shall not be lett to farm at too great sums, whereby the people may be over-charged with contributions to such farms.

Cap. XV. The summons and attachment of plea of land shall contain fifteen days notice, unless in attachments of assizes, in the king's presence, or before the justices of the Common Bench, or pleas before justices in eyre during the eyre.

Cap. XVI. Such execution shall be done upon those, that by precept from the king make false returns of writ, by which means right is delayed, as is ordained by the statute of Westminster the Second, cap. xxxix.

Cap. XVII. The Statute of Winchester shall be again sent into every county, to be read four times in the year, and to be kept as strictly as the Great Charters, on the pain therein limited; and for the better observance of it, the knights assigned in the counties to redress things done against the said Charter, shall be charged with this, and have hereby their warrant for it.

Cap. XVIII. An action of waste is maintainable against escheators and sub-escheators, for waste by them committed in the lands of wards: but this is now out of use.

Cap. XIX. When lands are wrongfully seized into the king's hands by the escheator or sheriff, and after it be out of his hands because he cannot justly hold it, the mean profits shall be fully restored to him who ought to have the land, and who hath sustained the damage.

Cap. XX. None shall make, or cause to be made, any vessel, jewel, or other thing of gold or silver, except it be of good and true alloy, viz. gold of a certain touch, and silver of the sterling alloy, or better; and none shall work worse silver than money: with several other appointments for goldsmiths to observe, upon pain of imprisonment and fine at the king's will, saving the right and prerogative of the crown in all things.

Having given as brief an abridgment as we could of the most considerable statutes of this king's reign,

reign, that are now in force, either for altering or interpreting the common law where it was doubtful, we shall now, from the sixth chapter of the manuscript treatise of the late learned lord chief-justice Hales, entitled his History and Analysis of the Laws of England, proceed to give the grounds and reasons of making several of them, with a brief view of the whole body of the law as it stood at that time: and an account likewise of the manner and forms of pleadings then in use.

“King Edward I. may be truly styled our English Justinian, for in his reign the laws attained a very great perfection: the pleadings short, indeed, but excellently good and perspicuous; and although, for a time, some of those ancient imperfections and inconvenient rules still obtained, as, for example, in point of descent, where the middle brother held of the eldest, and died without issue, it descended to the youngest, upon the pretence of that old rule in the time of Henry II. “*Nemo potest esse dominus & heres*,” and is more than once mentioned by Glanville, yet the laws never, in any one age, since his time, have received so sudden and great an advancement; nay, I think I may safely say, that all the ages since his time have not done so much in reference to the orderly settling and establishing of the distributive justice of this kingdom, as he did within the short compass of the thirty-five years of his reign, especially about the first thirteen years thereof. Indeed, many penal and provisional statutes, in relation to the peace and good government of this kingdom, have been since made, but as to the administration of common justice between party and party, and the accommodating of the rules and also the methods and orders of proceeding, he did the most of any king since the Conquest, and left the same as a stable fixed rule and order of proceeding, very little differing from what we have now, I mean as to the main substance and principal contexture thereof: I shall therefore give some short observations touching the same.

I. He perfectly settled the Great Charter and Charter of Forests, not only by a practice consonant to them, but also to that solemn act (25 Edward I.) styled *Confirmationes Cartarum*.

II. He established and distributed the several jurisdictions of courts within their proper bounds; and because this has several heads, I shall subdivide it, though not precisely following the order of time.

1. He checked the incroachments and insolence of the pope and papal clergy, by the famous statute of Carlisle.

2. He declared the limits of ecclesiastical jurisdiction by the statutes *Circumspecte agatis*, and *Articuli cleri*; the latter of which, though published in the time of Edward II, yet was compiled in the beginning of this king's reign.

3. He perfectly established the limits of the courts of Common Pleas, putting in use that article of Magna Charta “*Communi placita non sequantur curiam nostram*,” and in express terms extending that law to the court of Exchequer by the statute of *Articuli super Cartas*, cap. iv.

4. He established the extent of the jurisdiction of the steward and marshal. Vide *Articuli super Cartas*, cap. iii.

5. He settled the bounds of the inferior courts, not only of hundreds, and court-barons, but all others, which he kept within their proper and narrower bounds; and so gradually the common

justice of the kingdom came to be administered by men knowing in them, and sitting in the great courts of King's Bench and Common Pleas, and also before justices itinerant; as also by that excellent statute of Westminster, the First, cap. xxxv. Besides this, he kept the courts of great men within their due limits, under several penalties, wherein ordinarily very great incroachments and oppressions were exercised.

III. The third general head that I observe is, that he did not only explain but exceedingly well enforce the statute of Magna Charta by that *De tallagio non concedendo*, made 25 Edward I. notwithstanding it is placed without any certain year in our printed statute-books.

6. He provided against the interruption of the common justice of the kingdom by mandates, under the great or privy-seal, by the statute of *Articuli super Cartas*, cap. vi. which, notwithstanding the statute of Magna Charta, cap. xxix. were formerly too frequently in use.

7. He settled the forms, solemnity, and efficacy of fines confining them to the court of Common Pleas and justices itinerant, whose records, in ancient times, were commonly removed to the King's Bench, after their circuits ended, whereby one common repository for the great assurances of lands might be kept, which he did by the statute of 18 Edw. I. *De modo levandi fines*.

8. He settled that great and orderly method for the safety and preservation of the peace of the kingdom and repressing of robberies, by the statute of Winchester.

9. He settled the method of tenures, to prevent the multiplicity of mesuages which grew to a great inconveniency, and was remedied by the statute of *Quæ emptores, terrarum*.

10. He settled a speedier way for recovery of debts, not only for merchants and tradesmen, by the statutes of Acton Burnel and “*De mercatoribus*,” but also of other persons, by granting an execution of the moiety of debtors lands by *Elegit*.

11. He ordered an effectual process for the recovery of advowsons and presentations to churches, which was formerly extremely lame and defective, by the Second Statute of Westminster, cap. i.

12. He made that great alteration in estates from what they were formerly, by the Second Statute of Westminster, cap. i. whereby the estates of fee simple, conditional at the common law, were turned into estates tail, not removable from the issue, according to the ordinary methods of alienation: and upon this statute, and in order to the qualifications thereof, are the superstructures of those statutes I have now mentioned.

13. He introduced a quite new method in the laws concerning Wales, and in that of their administration, by the statute of Rudhland.

14. In short, partly by the learning and experience of his judges, and his own wise interposition, he silently and without noise abrogated many evil and inconvenient usages, both in the courts of justice at Westminster, and in the country; he also rectified and set in order the present method of collecting his revenues into the Exchequer, and removed the obsolete and burthensome parts thereof out of charge: and by the First and Second statutes of Westminster, as also of Gloucester, the third of Westminster, and *Articuli super Cartas*, whereby he removed almost all that was grievous

or

or unpracticable out of the law, and the courts where it was administered, and substituted such apt, short, but effectual remedies and provisions, as, by the length of time and the experience of their convenience, have stood ever since, without any great alteration; and being incorporated with, became in a manner part of, the common law itself; so that the very scheme and model of the common law, especially in relation to the administration of common justice between party and party, as it was highly rectified, and put in a much better order than his predecessors left to him, so the measure which we are to take for the true stating of the law of England as to what it now is, ought to be taken and estimated by what it was when this king left it: before his time it was rude and unpolished, in comparison of what it was after its reduction; and as it was thus polished by him, so it hath hitherto continued the same, without any great or considerable alteration, abating some additions succeeding ages have made, which are, for the most part, in the subject matters of the law, and not so much in its rules and ways of administration. And as to the repositories where those may be found, they are as follow.

I. Acts of parliament in the time of this king, full of excellent wisdom, perspicuity, and yet brevity, &c.

II. The judicial records in the time of this king: I shall only mention the rolls of judicial proceedings in the King's Bench, Common Pleas, and Eyre, and these written for the most part in an excellent hand, the pleadings very short, but perspicuous and clearly and orderly digested, representing effectually the business they intend.

III. The rule and reason of the law, according to which they proceeded; which is many times expressly delivered upon the record itself, very clear and rational; so that their short pithy pleadings and judgments do far better render the sense of the business, and the reason of it, than the long, intricate, formal pleadings that are often unnecessarily used in later times.

IV. Of the terms and years of this king's time, only a few broken cases remain, and are reported and collected by Fitz Herbert; but we have no successive terms and years of this king's reign, except some few ancient manuscript ones, though not running through the whole time of this king; but what remain are very good and brief: the judges then spake less, or the reporters were not so ready-handed as to take all they said, hence their brevity makes them the more obscure; but yet, in those decisions and brief interlocutions between the judges and the pleaders, there appears a great deal of learning and judgment. There are some of those reports in the library of Lincoln's Inn, and are reckoned among the best of that kind.

V. The law-tracts which were written in the time of this wise and excellent prince, seem to be of two kinds, viz. such as were but only the works of private persons, and had not any great authority, but yet contain much of the law then in use; such were Fleta, the Mirrour of Justices, Britton, and Thornton: or else they are sums or abstracts of some particular parts of the law, as Novæ narrationes, Magna Hengham, Parva Hengham, Assiza de Bastardia, &c. By all which, compared with Bracton, there shall appear a growth and perfecting of the law into a greater regularity and

order. And thus much may serve for the several periods of the growth of the common law, until the time of Edward II. inclusively."

TAXES in the reign of EDWARD I.

In the fourth year of his reign, A. D. 1276, the king, in parliament, had a fifteenth granted him by the earls, barons, great men, and community of the kingdom; and by the archbishop of Canterbury, and his suffragans, a subsidy of their goods (not said how much), as a free-gift only, not to be urged or drawn into example.

In the fifth year of his reign, the laity gave him a twelfth part of their goods, towards carrying on the war in Wales.

In the eleventh year of his reign, again, towards the war against the Welsh, the laity gave him a thirtieth, and the clergy a twentieth part of their goods.

In the eighteenth of his reign, he had a fifteenth of all moveable goods granted by the archbishops, bishops, abbots, priors, earls, barons, and all others of the kingdom, or government; as appears by the chequer-roll in the nineteenth of Edward I. with the king's remembrancer.

In the twenty-second of his reign, the prelates and clergy granted the moiety, or half, of their benefices and goods; to be taken, one third at the feast of All Saints next coming; a second third part, fifteen days after Easter; and the last third part, fifteen days after St John Baptist then next coming.

In the same year, at a parliament, or great council, holden on the twelfth of November, at Westminster, when four knights were summoned from every county, to consult and consent to such things as the earls, barons, and great men should ordain, for themselves and the communities of the counties, upon the same day they met, viz. the twelfth of November, and they gave the king a tenth part of all their moveable goods, &c. as appears by the writ, or commission, appointing the assessors, taxors, and collectors for the same tenth. And, in the same month, after the sixteenth day thereof, the guardian, sheriffs, aldermen, and whole community of the city of London, granted a sixth part of their moveable goods, as a subsidy towards his war. The writ, or commission, by which the taxors or collectors were appointed, bears date the twenty-sixth of November, 23 Edward I.

In the same month, and about the same time of it, there were commissioners appointed to ask, require, and effectually induce, in person, the men of all his demesne cities and towns, in all the counties of England, by all ways they should see expedient, to grant a sixth part, as London had done, that it might shew example to others of his demesne towns.

A parliament was summoned to meet the Sunday after St. Martin, or eleventh of November; the writ bears date the third of October: however, it met not then, but was prorogued, before meeting, to the Sunday before St. Andrew, or thirtieth of November, by a writ dated the second of November, at Odimer. The clergy, in this parliament, gave the king a tenth; the earls, barons, knights, and others of the kingdom, gave an eleventh; and the citizens and burghesses, and other good men of his demesnes, gave him a seventh of their moveable goods: and the warrant for the appointment of the taxors, or collectors, is dated the fourth of December.

In the twenty-fourth year of his reign, the earls, barons, knights, and others of the kingdom gave a twelfth part; the citizens, burgesſes, and tenants of his demefnes gave an eighth part: the clergy gave nothing, by reason of an inhibition the archbiſhop of Canterbury had obtained from pope Boniface, which inhibition, or bull, he cauſed to be publiſhed, at this time, in all the cathedrals.

In his twenty-fifth year, he had an eighth of all the laity, and a tenth of all the clergy, for the confirmation of the Great Charter and the Charter of Foreſts. Walsingham, in his Hiſtory, ſays the laity gave a ninth (which agrees not with the cloſe-roll, which ſays an eighth.) The clergy of the province of Canterbury gave a tenth, and the clergy of the province of York a fifth.

In the twenty-ninth of his reign, upon his confirmation of the perambulations of foreſts, the laity gave him a fifteenth of their moveables, in the parliament held at London at Midſummer, which they ſhould have in poſſeſſion at Michaelmas then next coming. Robert, archbiſhop of Canterbury, would grant nothing for the clergy, without the ſpecial licence of the pope.

In the thirty-second of his reign, he being then in Scotland, as appears by the dates of the commiſſions at Dumfermling and Stirling, to ſeveral commiſſioners, to tax, talliate, or aſſeſs tallage on cities, boroughs, and on his demefnes in cities and boroughs, either capitation by poll, or in common, according to their faculties and wealth, as it might turn moſt to his advantage.

In his thirty-third year, the king having ſummoned a parliament at Weſtmiſter, to raiſe money for the war againſt the Scots, there was given to him, by the clergy, nobility, and knights of the ſhires, the thirtieth penny of all their moveable goods; and, at the ſame time, the citizens and burgesſes gave a twentieth part of the ſame eſtates. In this parliament alſo, the archbiſhops, biſhops, prelates, earls, barons, and other tenants of his demefnes, petitioned that they might have leave to talliate their tenants of the ſame demefnes, as he had talliated them, and it was granted. About this time he had a fifteenth granted him in parliament.

In the thirty-fourth year, the king intending to knight his eldeſt ſon, ſummoned the archbiſhops, biſhops, abbots, priors, earls, barons, and other great men, to be before him and his council, on the morrow of Holy Trinity, to treat of and grant an aid upon that occaſion. He alſo ſent to all the ſheriffs of England, to cauſe to come before him and his council, two knights of every county, and of every city two citizens, and of every borough one or two burgesſes, as the borough was greater or leſs, &c. Theſe ſame prelates, earls, barons, and other great men, and alſo the knights of ſhires, treating deliberately upon the matter, and conſidering there was an aid due as aforeſaid; and that

many burdens were incumbent upon the king, by reaſon of his war in Scotland, unanimouſly granted to the king, for themſelves and the whole community of the kingdom, a thirtieth part of all their temporal moveable goods, &c. for a competent aid towards the knighthood of his ſon, and alſo for an aid towards the expences which he was to be at in the war. Alſo the citizens and burgesſes of cities boroughs, and others of the king's demefnes, aſſembling together, and treating about the premiſes, conſidering the burdens incumbent upon the king, &c. unanimouſly granted unto him, for the cauſes aforeſaid, a twentieth part of their moveable goods.

EDWARD II.

SUCCEEDING his father, though he was an unfortunate prince, and, by reaſon of the troubles and uneaſineſs of his reign, the very law itſelf had many interruptions, yet it held its current, in a great meaſure, according to that frame and ſtate in which his father had left it. Beſides the records of judicial proceedings in his time, many whereof are ſtill extant, there were ſome other things that occurred in his reign, which give us ſome kind of indication of the ſtate and condition of the law during that reign: as firſt, the ſtatutes made in his reign, and particularly that of 17 Edward II. ſtyled “De prerogativo regis,” which, though it be called a ſtatute, yet, for the moſt part, is but a ſum or collection of certain of the king's prerogatives, that were known long before; as, for inſtance, the king's wardſhips of lands in capite, attracting the wardſhip of lands held of others; the king's grant of a manor not carrying an advowſon appendant, unleſs named; the king's title to the eſcheats of the lands of the Normans, which was in uſe from the firſt defect of Normandy under king John; the king's title to wrecks, royal fiſh, treaſure-trove, and many others, which were ancient prerogatives of the crown. Secondly, the reports of the years and terms of this king's reign: theſe are not printed in any one entire volume, or in any ſeries or order of time; and only ſome broken caſes thereof, in Fitz Herbert's Abridgment, and in ſome other books, diſperſedly; yet there are many entire copies thereof abroad, very excellently reported, wherein are many reſolutions agreeing with thoſe of the time of Edward I. The beſt copy of theſe reports that I find now extant, is that in Lincoln's Inn library, which gives a fair ſpecimen of the learning of the pleaders and judges of that time. Query, if Maynard's Edward II. was not printed from that copy?

TAXES in the reign of EDWARD II.

The taxes levied in this reign were ſometimes a fifteenth, ſometimes more, and ſometimes leſs, according to the exigencies of the ſtate.

Of the PUBLIC REVENUES, &c.

THE revenues of the crown, in which muſt be included the ſums raiſed for the public ſervices, aroſe from a variety of taxation and impoſitions, ſome of which were more oppreſſive, and others leſs burdensome and more impartial, than the modern taxation. It would be too tedious to enumerate and diſtinguiſh the ſeveral

levies in each reign; we muſt therefore refer the curious reader to Madox's Hiſtory of the Exchequer, and Stroms's Hiſtorical Account of all Taxes, under what Denomination ſoever, from the Conqueſt to the Death of George I. a ſcarce but valuable performance; only ſelecting from theſe two authorities, the general mode of forming the revenue,

nue, and distinguishing parliamentary taxes from despotic impositions.

Henry III. began his long reign with arbitrary impositions on the Jews, from whom he drew, at different times, in the course of his reign, the immense sum, for those days, of four hundred thousand marks, at thirteen shillings and four pence the mark. He likewise drew from the clergy, nobility, and gentry, a considerable part of his revenues by fines called Scutage, which denoted the service of the shield (in Latin, *servitium scuti*), by which every baron and knight, as tenants of the crown, were obliged to serve the king personally in his wars, and furnish proper arms, forage, &c. or to compound for this service in money; so that, to prevent being called forth upon every trivial occasion, they chose to submit to the fines; and the sovereign could always find pretences to summon them to arms, or subject them to the pecuniary mulct, by which means scutage became a standing branch of the revenue, and served to supply the king with money at pleasure, except when the barons took up arms on account of the excessive demands of avaricious princes and wicked ministers. The king likewise procured, at sundry times, a fortieth, thirtieth, and twentieth part of the value of all moveables, but with the consent of the nobility and clergy: besides these he exacted different sums from the city of London, by way of fine for misdemeanors in the magistracy, and on various other pretences. His other impositions of various kinds, but of less moment, we pass over; but, in order to clear this monarch's character in

some measure, which has been torn in pieces by Matthew Paris, his cotemporary, and others after him, on account of those impositions, it will be necessary for the reader accurately to observe, the length of his reign, the expences of an administration for fifty-six years, the extensive operations of that administration, and the value of money at that time: for the former of these observations, we refer him to our history of the transactions of this reign; and for the latter, to the books before-mentioned, wherein the true value of what the king received may be easily traced, since in this reign weights and measures, by an admirable regulation, were, for the first time, reduced to a fixed standard.

Edward I. pursued the same methods of raising money, by scutage and tallage: the latter differed from the former only by its being demanded from the towns and boroughs, in excuse of personal service; whereas the other was levied on the barons and knights. These being insufficient, he raised money by way of loan from his subjects: he had likewise the fifteenth penny, by consent of the nobility; and he levied a poll-tax on the Jews. The clergy suffered greatly in this reign, the king drawing from them the greatest part of his revenue.

Edward II. raised no money but with consent of parliament, except from the clergy by authority of the pope; and two shillings above the ancient duty upon the goods of foreign merchants residing in the kingdom.

State of ARTS, SCIENCES, and COMMERCE, in the XIIIth and Beginning of the XIVth Century.

ARTS and sciences made but a slow progress in England during this æra; the civil and foreign wars, with the ecclesiastical disputes, leaving but little room for their cultivation or encouragement: we must therefore take a view of the useful discoveries made in other parts of Europe, and brought into England in those days.

Whilst barbarism and ignorance overwhelmed the Christian hemisphere, the Arabians continued to cultivate the fine arts, of which history furnishes us with a memorable example, viz. that in the year 1232, Meladin, the caliph of Babylon, sent a present to Frederic II. emperor of Germany, of a curious tent, valued at an hundred thousand crowns, the ground-work of which had the appearance of the natural sky; figures of the two globes of the sun and moon were placed therein, with certain movements that exhibited the regular motions of those two great luminaries.

The method of conveying water to the city of London by leaden pipes, was first brought into use in the year 1237. The springs that supplied these were found in the estate of the lord of the manor of Tyburn.

In the thirty-fifth of Henry III. that is to say, A. D. 1251, we find the first instance of a poet-laureat, in the person of one master Henry, to whom, by the name of his Poet (versificator), the said king orders one hundred shillings to be given, in payment of his arrears.

That fine linen was, during this century, made and used in England, we have the undoubted au-

thority of Madox's History of the Exchequer, who tells us that Henry III. in the thirty-seventh year of his reign, directs the sheriffs of Wiltshire and Sussex to buy for him one thousand ells of fine linen, and send it to his wardrobe at Westminster.

In the year 1285, that elegant scheme of bringing sweet water in pipes to London, was completed, the great conduit in Cheapside being raised of stone, and the cisterns finished of lead. This cost the infant artists of those days fifty years in bringing to perfection.

It is generally thought that the invention of spectacles or reading-glasses, for helping the sight of persons in years, or of weak eyes, was found out by Alexander Spina, a monk of Pisa; but Dr. Plott will have the honour of this discovery to belong to our countryman, Roger Bacon: certain it is that Bacon had some knowledge of the use of glass in the magnifying and in the diminishing of objects. It is also said that windmills were first invented about this time.

In this thirteenth century (according to Voltaire) the Venetians were the only people who had the secret of making crystal looking-glasses: he also thinks that there were some clocks at this time in Italy, though unknown to other countries.

In the towns of France, Germany, and England, continues he (in his General History of Europe), they had scarce any but thatched houses; and the same might be said of the poorer towns in Italy; and although the face of those countries was covered with wood, the inhabitants had not learned

to guard against the cold by the means of chimneys, an invention so useful and ornamental to our modern apartments; the custom then was for the whole family to sit in the middle of a smoaky hall round a large stove, the funnel of which passed through a hole in the ceiling.

About the year 1302, according to most authors, was brought to light the incomparable invention or discovery of the mariner's compass, or magnetic needle, for the direction of ships at sea: the inventor was one Flavio de Gioia, a native of Amalfi, in the kingdom of Naples. But here we must observe, that although the English pretend not to the invention of the compass, as several other nations have done, in prejudice to the real discoverer, yet they are said to be the inventors of the most convenient method of suspending the (piz nautica, or) box that contains the magnetic needle, so as to keep it always horizontal. Several other improvements were likewise made by our countrymen to this invaluable discovery in succeeding periods, which will be noticed in their proper order. By the help of this noble instrument it was, that the Spaniards made their discoveries of the western world; the Portuguese, the way by sea to India and China; and the English and Dutch, several useful discoveries towards the north pole: in a word, it proved the north-star of navigation and commerce.

Crockery ware, to this day called Fayence in the French language, was invented much about the beginning of the fourteenth century, at Faenza, in Italy.

These are the most remarkable discoveries we have been able to collect, with any degree of certainty; and, considering the gross ignorance and superstition of the times we treat of, it is almost miraculous that we meet with so many, especially if we add to this, the uncivilized manners of these two centuries, and the little harmony to be found in society, amidst the devastation and carnage of civil and (yet more terrible) religious wars.

The more exalted sciences were absorbed in mysteries of theology, learning being, as we have before observed, chiefly confined to the clergy. Some few studied physic and the law; but in a very imperfect manner, insomuch that every epidemical distemper which resisted the injudicious applications of the ignorant practitioners of those days, proved a real plague. Let us now take a view of

The COMMERCE of England during this Æra.

We shall find this to consist principally in the exportation of its natural products, as coals, lead, tin, corn, and some other articles of less moment; and the Jews being the general factors and brokers, for the exchange and loan of money, they acquired immense riches by the same methods of usury which they practise to this day; but not with so much security, for our ancient kings drew considerable sums from them upon every emergency, for the service of the public, and their own private use.

In the year 1228, the thirteenth of Henry III. the town and port of Great Yarmouth, in Norfolk, was become very considerable for divers kinds of merchandize, both for importation and exportation, and in particular for fish.

In the year 1232, king Henry III. granted a piece of ground, named the Steel-yard, in the city of London, to certain merchants of Flanders and of the Hanse or Anseatic Towns in Germany, viz. Lubeck, Hamburgh, Bremen, and Cologne, for the managing of their commerce and merchandize, custom-free: he also granted them licence safely to resort to fairs, and buy and sell every where freely.

The first mention we find made of the Newcastle coal, is in a charter of Henry III. to that town, wherein he gives the burghers leave to dig coals and stones in the common soil without the walls, called the Castle Moor: but it is probable that this was only for the use of their own neighbourhood, for the city of London in those times had so many copses and woods on every side of it, and the carriage thereof, both by land and water, was then so cheap, that its inhabitants stood in little need of coals for fuel, wood or turf being both cheaper and more convenient.

Till 1241, that useful and necessary metal, tin, had been so peculiarly the production of this island, that there was none of it to be found in the world besides: after this time it came to be discovered in some parts of Germany, and particularly Bohemia, by means of a Cornish man who had been banished for some misdemeanor.

A. D. 1248, gave rise to the first commercial society of English merchants, called the Merchants of St. Thomas Becket; from these again sprung the Merchants of the Staple of England, who were at first all foreigners, as appears by the Magna Charta; they had the latter title from their exporting the staple wares of the kingdom, viz. wool, lead, and tin*.

In 1279 was made the first commercial treaty between England and Flanders, by Edward I. in the first year of his reign. In the seventh year of the same king, Italians were the keepers of the mint of London, our own people being in those times absolutely ignorant of the science of money coining.

In the second volume of Rymer's *Fœdera* (fol. 272, under the year 1284), we find a letter from Eric, or Erckin, king of Norway, to king Edward I. wherein he complains of wrongs done his merchants by the bailiffs of the port of Lynn Regis, in Norfolk: this shews that there was then a considerable commerce between England and Norway, and that Lynn was very early a trading port.

Certain silver mines are said to have been digged about this time in Devonshire, but the quantity of metal was very inconsiderable, and none of it is now to be found there.

The rules relating to the carrying of contraband merchandize to an enemy's country, were exactly the same in those early times as at present: and we find Edward I. seizing the Hanse ships in the English ports, for having on board lading of naval stores and corn. At this time we meet with the first instance of a licence to foreigners to fish on our coasts, in favour of the fishers of Holland, Zealand, and Friesland (see Rymer, vol. ii. p. 688. anno 1294.) as we also do of the first letter of marque and reprisals, issued by the said king, in favour of his Gascon subjects, whose ship and cargo had been seized by a vessel belonging to the king of Portu-

* The words Staple Wares, or Merchandize, meaning then, as now, the natural and usual product or manufacture of any city or country.

gal, and sold: our king hereupon grants the Gascon merchant letters of marque (*licentia mercandi*) against the subjects of Portugal, to seize their effects until he shall reimburse himself all his losses.

The year 1296 gave rise to a famous mercantile society, which subsists to this day with great splendor, namely, the company of Merchants Adventurers of England: this name, however, they did not assume, as a company, till the reign of king Henry VII.

The fourteenth century was productive of events of greater importance to the commercial part of mankind, than any preceding age, great improvements being made in naval commerce throughout Europe, by the discovery of the mariner's compass, of which mention has been already made. The woollen manufactures of Flanders and Brabant gradually removed hither, to the great emolument of the country, and the increase of its industrious inhabitants: and that great prince Edward I. fully sensible of the infinite advantages that would accrue to his subjects from their insular situation, by the encouragement of commerce, published, in the year 1302, his charter, or declaration of his protection and privileges granted to foreign merchants; and also ascertained the customs or duties which those foreign merchants, in return for his said charter, were to pay on merchandize exported and imported; by which he proved the first who established the great customs on merchandize. This charter, of which, for its curiosity, we will here subjoin a recital, was afterwards confirmed by king Edward III. in the year 1328.

"The merchants of Almaine (Germany), France, Spain, Portugal, Navarre, Lombardy, Florence, Provence, Catalonia, his own duchy of Aquitaine, Toulouse, Flanders, Brabant, and of all other foreign parts, who shall come to traffic in England, shall and may safely come, with their merchandize into his cities, towns, and ports, and sell the same, by wholesale only, as well to natives as to foreigners. And the merchandize called merceries [which is somewhat difficult to describe, being in those days, probably, many small wares, toys, haberdashery, &c.] as also spices, they may likewise sell by retail. — They may also carry beyond sea the goods they may want in England, paying the usual customs; excepting wines, however, which being once imported, shall not be exported without the king's special licence." — He commands all his officers in fairs, cities, and towns, "to do speedy or summary justice to the said foreign merchants, agreeable to the law-merchant, or custom of merchants: particularly,

"I. That on any trial between them and Englishmen, the jury shall be one half foreigners, where such can be had.

"II. That a proper person shall be appointed in London, to be justiciary for foreign merchants.

"III. That there shall be but one weight and measure throughout the kingdom; in consideration of which, and of the king's freeing them from prize, and all other burdens, the said foreign merchants shall pay a custom of two shillings for every ton of wine which they shall import, over and above the old customs; and for every sack of wool which they shall export, forty pence over and above the old custom of half a mark; and the like for three hundred wool-fells: item, two shillings for every piece of scarlet cloth dyed in grain; and one shilling and six pence for every other dyed

cloth, in the dying of which, grain shall be mixed; also twelve pence for any dyed without any grain: and the like sum for every quintal of wax: they shall likewise pay three pence per pound, *ad valorem*, for such merchandize imported, and also when re-exported, as cannot well be reduced to a certain custom, in the above manner, such as silks, farcenets, lawns, corn, horses and other live cattle, and many other kinds of merchandize, both imported and exported, over and above all the old customs on such sort of merchandize."

Although bills of exchange were much in use in the beginning of the fourteenth century, yet the general balance of trade between two different nations, seems to have been very little understood in this age.

In the 1308, the first of Edward II. the first commercial treaties between England and the two courts of Portugal and Spain were established.

We shall conclude our review of the commerce of this period with two lists, the one of the principal sea-port towns in England; and the other, of the foreign nations that traded to this country at the beginning of the fourteenth century.

In Rymer's *Fœdera*, or Collection of Public Acts, vol. iii. p. 222, we find king Edward II. when about to make an expedition against Scotland, summoning the sea-port towns of England to send their service of ships due to him: the towns named in this summons may justly be supposed the principal trading sea-ports then in England, viz.

I. From the Thames' Mouth, Westward.

Sandwich,	Weymouth,	} In Dorsetshire.
Dover,	Melcomb,	
Rye,	Lyme,	
Winchelsea,	Sidmouth,	
Romenehale (Romney)	Exmouth,	
Hythe,	Exeter,	
Portsmouth,	Dartmouth,	
Ermouth (Yarmouth in the Isle of Wight)	Plymouth,	
Lapole (Poole),	Bristol,	
Wareham,	Bridgwater.	

II. From the Thames' Mouth, Northward.

Harwich,	Boston,
Colchester,	Grimsbey,
Gippeswic (Ipswich)	Ravennefs,
Donewic (Dunwich)	Hull,
Orford,	Scarborough,
Great Yarmouth,	Hartlepoole,
Little Yarmouth,	Newcastle upon Tyne, and
Burnham,	Newbiggin, in Northum-
Holkham,	berland.
Lenn (Lynn),	

London is not mentioned, as perhaps its ships were already in the service; there are also several now capital ports omitted, probably because they were not then used, or for some other reasons not come down to us.

Mr. Madox, in his *Firma Burgi*, gives us a list of all the foreign nations, A. D. 1325, then trading to England. These were the

French,	Germans,	Spaniards,	Portuguese,
The people of			
Navarre,	Catalonia,	Toulouse,	
Lombardy,	Provence,	Flanders,	
Tuscany,	Aquitaine,	Brabant, and others.	

Here we may observe, that no mention is made of any merchants from Denmark, Sweden, Poland, or Muscovy, as yet trading hither; and that the merchants of Gascony dealt largely with England for the two articles of wine and woad for dyers.

Before I close this article, I shall just observe,

MANNERS and CUSTOMS in the XIIIth and Beginning of the XIVth Century.

LA Flamma, a writer of the fourteenth century, complains, that in his time frugality and simplicity had given way to luxury and extravagance, and regrets those times (the latter end of the twelfth and most of the thirteenth century) when, in the capitals of great dominions, the people eat meat only thrice a week. Tapers were not then known, and candles were luxurious ornaments: the better sort of inhabitants made use of pieces of dried wood, which they lighted at the fire. Their sheets were of serge, no linen being then worn but by people of the first distinction: "but now (adds he) speaking of the close of the thirteenth and part of the fourteenth century) things are greatly changed: linen is now worn in common; the women dress in gowns of rich silk, some of them are even mixed with gold and silver: they have now two thousand livres (about an hundred and twenty pounds sterling) to their portion, and adorn their ears with golden pendants." And yet this luxury, of which La Flamma complains so grievously, was far inferior, in some respects, to what we now look upon as common necessities for a creditable tradesman. We have, indeed, a remarkable instance of the gaiety of the English dress about the middle of the thirteenth century: "King Henry III. (saith Matthew Paris) holding his court at York, for celebrating the marriage of his eldest daughter Margaret with Alexander III. king of Scotland, A. D. 1251, there appeared about a thousand of his military commanders all clad in silk apparel, and the next day they appeared in other rich and gay dresses." The improvements in taste and splendor were first introduced into the West by the crusaders, at their return from the Holy Land. Table-linen, however was very scarce in England; and wine was sold only by the apothecaries as a cordial. Private houses were almost all built of wood, both in Paris and London. The use of silver knives and forks, spoons, and cups, was a piece of royal luxury.

In order to give a more distinct idea of the times we are treating on, it may not be improper to subjoin an account of the customs or tenures by which certain manors were held in those times.

One person held thirty acres of land in Cambridgeshire, for furnishing a truss of hay for the king's necessary-house, or privy, whenever he shall come into that county.

Another held a manor in Kent, for providing a man to lead three greyhounds, when the king should go into Gascony, so long as a pair of shoes of four pence should last. Another, in the first year of

that we first find mention of two admirals at the same time in England, in this year, king Edward II. directing a precept "To the admiral of the fleet from the Thames' mouth northward, and to the admiral of his fleet, or ships, from the Thames' mouth westward." See the *Fœdera*, vol. iv.

king Edward II. held lands to find straw for the king's bed, and hay for his horse: the article of straw for the royal bed is somewhat extraordinary so late as Edward II's days.

Sundry others held their lands of the crown by several various and humorous tenures: thus, for instance, one paid two white capons annually. Another, for carrying the king's standard whenever he should chance to be in the county of Suffex. Another, by building and keeping in repair a bridge. Another, by being marshal of the laundresses in the king's army. One supplies the king an hawk, another a pair of scarlet hose, annually. One held the manor of Elston, in Nottinghamshire, by paying the yearly rent of one pound weight of cummin-feed, two pair of gloves, and a steel needle. Another, to repair the iron-work of the king's ploughs. Many more instances of such like tenures we could produce, but these we apprehend will be sufficient for the purpose which gave rise to the recital.

The houses of the city of London were, till about the middle of the thirteenth century, like others in those days, mostly covered or thatched with straw; for it appears by Stowe, and other historiographers, that an ordinance was issued in the year 1246 (the thirty-first of Henry III.) that all houses in London should be covered with tiles or slate, instead of straw, more especially such as stood contiguous to the best streets, which were then but few, compared to what they now are: Cheap-side, which is at present in the heart of the city, was then a waste place, called Crown-field, from the Crown-inn there, the bulk of the city then lying more eastward.

About the close of the reign of Edward I. sea-coal began first to be used in London, by those trades requiring much fuel.

I shall close this short account of the manners and customs of the period before us with a comparative view of the price of provisions at the beginning of the fourteenth century, with that of modern times.

	s.	d.		s.	d.
Wheat, per quarter,	7	0	A pig	—	0 6
Malt	—	5 6	A pullet	—	0 1½
Oats	—	3 6	A hen	—	0 1
An ox	—	18 0	A swan	—	5 0
A sheep, with the			A goose	—	0 2
wool on,	1	8	A rabbit	—	0 2
A fat hog	—	3 2½			

And so of other things in proportion.



Engraved for
MORTIMER'S
Hist^y of England.



S. Wale delin^t

C. Grignion sculp^t

EDWARD III.

THE
HISTORY
OF
ENGLAND.
FROM

The Deposing of King EDWARD II. to the Death of King HENRY IV.

PART VII.

EDWARD III. furnamed OF WINDSOR. A.D. 1327.

WHEN the commissioners sent to Kenelworth were returned with the report of the second Edward's resignation, his son was immediately proclaimed (January 21, 1327) by the name of Edward the Third: but as the new sovereign was barely fourteen years of age, it was necessary to appoint a regency during his minority; accordingly the parliament, which was then sitting, and who were entirely devoted to the will of the queen and her party, proceeded to nominate twelve persons from among the bishops, earls, and barons, of whom, Henry, earl of Lancaster, was declared the chief, and restored to the dignity of high-steward of England*. Though some of the persons nominated in this regency were not altogether agreeable to the queen, yet she made no objection at this time; but as she had the power in her own hands, she acted as she pleased, and took care that the most important offices of state should be filled with her creatures; of these Roger Mortimer was the principal, to whom was intrusted the management of the public affairs, and he acted in every respect as prime minister. By his influence the parliament settled a dowry upon the queen, which exceeded two thirds of the revenue of the crown: at the same time, to keep up some appearance of decency, a salary was appointed for the maintenance of the deposed king, amounting to an hundred marks per annum; an ample provision in

his then distressful circumstances, had it been duly appropriated to the uses for which it was granted. The queen's first study was to recompence the attachment of her favourite Mortimer, and the rest of the great men who had supported her cause: the sentences formerly denounced against the first of these noblemen were now reversed, on pretence of the illegality of his trial, and he was re-invested in all the lands and honours of which he had been deprived, to which were likewise joined the estates of the earls of Arundel and Winchester, in North Wales: Edmund, earl of Kent, had grants amounting to near seven thousand marks yearly: John de Hainault was gratified with a pension of a thousand marks, payable out of the customs on wool and leather in the port of London: and that even the deceased opposers of the late government might not be forgotten in this torrent of rewards, the young king was prevailed on to apply to the pope for the canonization of the earl of Lancaster, who had been beheaded at Pomfret, pretending that such miracles had been wrought at his tomb as clearly evidenced him to have suffered as a martyr. At the same time a pardon was passed in favour of the citizens of London (who had been remarkably active in bringing about the late revolution) for all the robberies, murders, and other capital offences, of which they had been guilty since the day the queen first landed in England; they were, moreover, rewarded with

* The prelates were, Walter Reginald, archbishop of Canterbury; William Melton, archbishop of York; John Stratford, bishop of Winchester; Thomas Cobham, bishop of Worcester; and Adam Orleton, bishop of Hereford: the earls were, Thomas de Brotherton, earl of Norfolk and earl-

marshal; Edmund of Woodstock, earl of Kent; and John de Warrenne, earl of Surrey: and the barons were, Thomas, lord Wake; Henry, lord Percy; Oliver Ingham; and John, lord Rofs. Leland.

a charter of extraordinary privileges; had a grant of the borough of Southwark to be under their jurisdiction; they were exempted from all services without the walls of their city, and their mayor was permitted to act as one of the justices in commission for the gaol-delivery of Newgate. In fine, all the proceedings of the queen and parliament tended solely to justify their conduct with regard to the late king, which, doubtless, would have been deemed highly criminal, if it had not been crowned with success.

But whatever advantages the giddy people might think to derive from the deposition of Edward II. and the elevation of his son, they soon found the pleasing prospect over-cast, and, although they were delivered from the troubles that disturbed the tranquility of the nation in the former reign, they, on the other hand, began to perceive that the government of a weak and imprudent king was not more to be dreaded than that of a minor prince, under the direction of a passionate and headstrong woman, herself governed by an ambitious and unexperienced minister, who had as great an influence over her as the younger Spenser had over the deposed king, without being possessed either of his abilities or interest.

To these domestic causes of discontent were quickly joined others from without doors. The Scots, taking advantage of the unsettled state of the nation, and considering themselves as not bound by any engagements to young Edward or his mother, broke the truce, and passing the borders, they, on the second of February, endeavoured to surprize the castle of Norham, but the governor, sir Robert Manners, being privately acquainted of their design, made a sally upon them with such success that he took prisoners and killed a great number of them, and the rest, intimidated by this disaster, retired with the utmost precipitation.

The account of these hostilities were no sooner carried to court than Edward (who even at this early age discovered that martial disposition for which he was so renowned in the after-part of his life) earnestly desired that a council might be called, to consider of the most effectual means for punishing the treachery of these invaders. Those who had the helm of government in their hands were not much inclined to war, but their interest and authority being too nearly concerned to suffer such an insult, it was resolved to raise forthwith an army of sixty thousand men, including the troops brought over by John of Hainault. These forces Edward determined to head in person, and all the necessary dispositions were taken for that purpose, when an unexpected quarrel arose between the English and Hainaulters, which ended in a furious fray, wherein numbers were slain on both sides. The consequences that might follow upon this dispute were too serious to be passed by, and a stop was for some time put to the expedition against Scotland till all matters should be finally adjusted. This delay gave Robert Bruce time to make another incursion into England, and, passing the river Tyne, between Carlisle and Newcastle, he committed most terrible ravages in the circumjacent countries.

Edward having happily quieted the animosities between his people and the foreign auxiliaries, he set out, about the middle of July, in pursuit of the Scottish army, which he knew not exactly where to find, though he imagined them to be somewhere

between Durham and Carlisle; for a while he traced them by the smoking ruins, and other marks of devastations they had left behind them in the several places, through which they had passed; but after marching for a considerable time through mountains, woods, and morasses, and his troops being almost spent with fatigue, he despaired of meeting them: in this displeasing uncertainty he called a council of war, when a proclamation was issued promising the honour of knighthood, together with lands to the value of one hundred pounds a year, to that person who should bring him an account of the place where the Scots were encamped.

The hopes of so a high reward set so many on the search, that it was not long before he received the information he so much desired, for on the third day after the proclamation, one Thomas de Rokerby arrived in the king's camp with news that the Scots were within five miles, encamped over against Stanhope Park (in the bishopric of Durham) on a hill, at the foot of which runs the river Were.

The king no sooner received this agreeable news, than, burning with ardour to signalize himself against these invaders of his realm, he immediately caused his troops to advance towards the place where he heard the enemy was posted, whom he found already drawn up in three bodies on the declivity of the hill: but how desirous soever Edward was of coming to an engagement, he soon found, to his infinite mortification, that he could not attack the foe without subjecting his army to the most manifest danger; the Were, which ran between the two camps, being so full of large and slippery stones, and the waters so greatly swelled with the rains that had lately fallen in abundance, that the passage was altogether impracticable, and he saw no disposition in the Scottish army to come to the northern bank.

Impatient of this obstruction, and vexed to see his enemy so near, without being able to force them to a battle, Edward sent an herald to acquaint the Scottish generals, that if they were really inclined to hazard an engagement, he would either retire at a distance, and allow them to pass the river unmolested; or if they would retreat farther off, he would attempt the passage himself, and give them battle. This proposal, however, was rejected by the Scots, who replied, that they were too wise to follow an enemy's advice, especially as the English army, was near three times stronger than theirs, and therefore that it remained with him to dislodge them from their post if he could. Accordingly both armies continued in the situation above-mentioned for three days successively, without either daring to attempt a passage, and Edward, who occupied the north side of the river, having learned that the Scottish army began to fall short of provisions, resolved to force them to a battle or starve them into a surrender.

Aware of this, or apprehensive that Edward, in amusing them with his orders, intended to pass the river at some other place, and attack them when they should least expect it, they retired in the night-time, advanced higher up the river, and encamped in a more advantageous post than that which they had occupied before. The English were not long before they followed the retreating foe, still keeping on the north side of the river, and took post on a hill opposite to that which the Scots possessed.

While they lay in this position, the bold spirit of Douglas, one of the Scottish chiefs, prompted him to enterprize some deed of consequence against the English

English, whose late bravadoes had galled his gallant spirit, assembling together two hundred horse, he, with this little but determined troop, passed the river in the night-time, and, entering the English camp unperceived, advanced as far as the royal pavilion, with an intent to surprize and carry off the king; but being discovered by some of the centinels, who spread the alarm, Douglas and his gallant corps were on the point of being overpowered with numbers, but, after an obstinate defence, he found means to retreat, though not without losing most of his followers.

Both armies had now kept their stations above a fortnight, when the Scots, distressed through want of provisions, resolved to return to their own country, and, decamping in the night, made their retreat under covert of the neighbouring wood, to a morass, which they passed upon hurdles, and continued their march towards Carlisle with such expedition, that they were far out of the reach of the English before these latter had notice of their departure; thus they eluded Edward's vigilance, and returned home loaded with the booty they had made in their expedition.

The Scots were greatly favoured in the execution of their designs by the following accident: a certain knight of their army being taken prisoner in a skirmish (of which there happened many between the flying parties of both armies, during their opposite encampment), and examined before Edward and the English generals, acknowledged the great distress to which his countrymen were driven, and that orders had been given out in the camp for the troops to hold themselves ready at night, to march under the command of the gallant Douglas. Edward and his council imagining, from the enterprising genius of that general, that he intended to make some sudden attack under favour of the darkness, resolved to be prepared to give him a warm reception. Orders were accordingly issued for the army to be drawn up in order of battle, and remain under arms all night; and it was so disposed as to be ready to resist an attack from whatever quarter it might be made. In the mean time the Scots, moving off in silence, effected their retreat in the manner above-mentioned.

It is impossible to express the chagrin of Edward, at finding himself thus baffled in his first campaign: suffice it to say, that he felt all that a young prince, greedy of glory, could feel on such an occasion*. But the enemy was by this time so far off, that it would have been in vain to have attempted a pursuit; he therefore marched his army back to Durham, and from thence to York, where he disbanded his forces, and sent back John of Hainault with his people to Flanders, after loading him with magnificent presents.

Let us now turn our eyes towards the unhappy Edward II. whom we left divested of royalty and liberty, and a close prisoner in Kenelworth castle, where he led a melancholy life, not being permitted to take the least diversion. The queen and her paramour, Mortimer, not contented with having stripped this wretched prince of all power, could not think themselves safe so long as he lived to be a reproach to their treasons and infidelity; they were

in continual dread of a reverse of fortune; they were sensible that their own crimes and the king's sufferings could not be always concealed from the knowledge of the people, who, recovered from the present delusion, might repent of having lent their assistance to such unnatural proceedings, bestir themselves to relieve their oppressed sovereign, and strip them of their usurped and ill-gotten power: full of these thoughts they resolved to complete the black act they had begun, and seal their own safety with the blood of the unhappy Edward.

The deposed monarch had from time to time wrote to his queen, intreating her to render his confinement more tolerable; but that inexorable woman, listening only to the dictates of lust and ambition, had bid defiance to all the tender sensations of nature and humanity; she could not, however, leave his letters unanswered; she knew it was her interest to deceive the public by an appearance of compassionating him whom she had reduced to such distress; and by now and then sending him some little presents she endeavoured to persuade the credulous part of the world that she had sacrificed conjugal tenderness to her regard for the public welfare, in the part she had taken against her husband; besides, both she and Mortimer flattered themselves, that grief and vexation would have broken the heart of the unhappy Edward, whose temper they knew to be remarkably keen and impatient; but finding that they were mistaken in this point, they resolved to go a more effectual way to work: to this they were more particularly prompted by observing that many of those who had been the foremost to assist in humbling the arbitrary spirit of the late king, and bringing the two Spencers to punishment, began to shew evident marks of discontent, that matters had been carried to such extremities; and that even the earl of Lancaster, to whose custody he had been committed, had treated him with a lenity and tenderness very inconsistent with the projects they had in view, and such as gave the queen and Mortimer reason to fear that he harboured a design to restore him to the throne. It was therefore resolved by them to take the royal captive out of the hands of his too indulgent keeper, and consign him to the custody of such persons on whom they could more firmly depend; accordingly they sent orders to have him conveyed from Kenelworth to Berkeley castle, in Gloucestershire, where he was put under the care of sir John Gurney and sir John Maltravers, both of so brutish a disposition as was requisite for the designs of those that employed them. Thomas, lord Berkeley, who was governor of the castle, did, indeed, endeavour in some measure to alleviate the wretched king's sufferings by more gentle usage: which being observed by Gurney and Maltravers, they made such a report thereof to their principals, that orders were sent to remove Edward in the night, and to carry him from place to place, so that his friends might not know where he was. This order was obeyed with the most inhuman exactness: that he might be the more effectually disguised and not known to any he might meet, his barbarous keepers made him travel in the night with very thin cloaths, and without any covering on his head, and, during this melancholy

* When he went to view the Scottish camp, he saw three hundred raw skins of cattle and deer, fixed upon stakes over fires, by way of kettles in which they boiled their meat; a thousand wooden spits, loaded with beef; a thousand pair of

shoes, made of undressed leather, and five English prisoners, with their legs broken, whom they had fastened to trees, that they might not be able to give intelligence of their retreat. Leland. Knighton.

progress, offered him a thousand indignities; they also attempted, more than once, to poison him, but the goodness of his constitution rendered all their purposes ineffectual.

In one of these nocturnal journeys his savage tormentors made him alight in the open field, that he might have his head and beard shaven, which they did with cold water out of a stinking ditch. Here all Edward's firmness forsook him, and the horrors of his altered fate presented themselves so forcibly to his imagination, that for the first time he shed a flood of tears, telling them, that in despite of their insolence and barbarity, he would be shaven with clean and warm water.

Having, as they thought, effectually eluded the search, and defeated the attempts, of his friends, who might have any thoughts of setting him at liberty, they brought him back again to Berkeley castle, where, as the lord of the place was now absent, the poor king was left entirely to their management, who, by every vexation and fatigue they could devise, endeavoured to put an end to his days; but finding their endeavours had not so speedy an effect as they could wish, they sent for fresh instructions, for which they were not made to wait long: Adam Orleton, bishop of Hereford, who had been the chief contriver of the various species of torture and mortification the imprisoned king had undergone, and by which he thought to make his court to those who were the original authors of his calamity, now sent an order, doubtless with the privacy, or rather by the direction, of the queen and Mortimer, for putting a speedy end to Edward's life. This order was contained in a letter, directed to his keepers, Maltravers and Gurney, and conceived in such artful and ambiguous terms, that though the persons to whom it was directed should take it in the literal sense, yet it furnished him with an opportunity of exculpating himself from the fact, in case young Edward should bestir himself to bring the authors of his father's death to punishment*.

This infamous stratagem succeeded but too well: no sooner had the keepers read the letter, than, perfectly sensible of what was expected from them, they entered the king's apartment while he lay asleep, attended by other ruffians their followers, and caused him to be held fast down to the bed; then thrusting a pipe, made of horn, up his body, they ran a red-hot iron through it, and burnt his bowels in such an horrible manner, that the unfortunate king expired amidst the most excruciating torments.

As soon as these bloody butchers had perpetrated their execrable purpose, they exposed the body to public view, presuming that the precautions they had taken would effectually conceal the cause of his death; but though the skin appeared without any wound or blemish, the muscles of his face were so distorted as plainly to declare that he had undergone severe agonies; besides, a number of persons, at a great distance from the castle, had heard the piercing

shrieks and groans the tortured prince had thrown out while in the agonies of assassination.

His body, after being viewed by the prior of Bristol, the abbot of Gloucester, and several persons of quality and credit, was buried, without farther enquiry, in the abbey of St. Peter, at Gloucester. His murderers, however, were so far from receiving the reward they expected for their infamous services, that they were forced to flee beyond sea, to avoid the resentment of the people: the very persons that employed them affected to cause diligent search to be made after them, to cover the share they had in the crime†.

It was at young Edward's return from his Scottish expedition, about the latter end of August, that he heard of his father's death, which he was taught to believe was natural, and which he lamented with a sincere sorrow: however, finding himself now eased of all scruples in regard to wearing the crown, he resolved to solemnize his nuptials with Philippa of Hainault, which had been concluded for him by his mother, and for which a dispensation had been procured from the pope, as the parties were in the third degree of consanguinity. A parliament was summoned at Lincoln, on the fifteenth day of September, in order to obtain a supply for the Scottish war, and to defray the expence of the marriage; but some difficulty being made by the prelates, in regard to their quota of the demanded aid, the session was broke up, and another parliament convened at Leicester, on the third of November following, when the clergy gave a tenth of their revenues; the barons and knights, a twentieth of their rents; and the cities and boroughs, a fifteenth of their moveables. A procuration was granted to the bishop of Lichfield, to make a contract with Philippa, in the name of Edward, and she was escorted into England by her uncle John de Hainault, with a pompous retinue. She arrived at London on the twenty-third of December, where she was met by the mayor and aldermen in their formalities, who presented her with a service of plate to the value of three hundred pounds, and received every other possible mark of distinction and respect. From thence she set out for York, where the king at that time resided, and where the nuptials were solemnized with great pomp and splendor, on the twenty-fourth of January, 1328; though the ceremony of her coronation was not performed till about two years after.

And now the queen-mother and Mortimer, finding that they grew daily more obnoxious to all the thinking part of the nation, began to consider how they might best secure themselves a certain asylum, in case of a sudden reverse of fortune. With this view they determined to secure the friendship of Scotland: and as they had still a number of partizans in the parliament, it was proposed to open conferences at Newcastle, for bringing about a treaty of peace between the two nations. Robert Bruce, who was now in the decline of life, and laboured

* This letter contained the following words, which, according to the difference of the pointing, advised them at the same time to murder Edward, and exhorted them to refrain from such a crime, viz.

"Edwardum occidere nolite timere, bonum est.

"Edward to kill fear not, the deed is good.

"Edwardum occidere nolite, timere bonum est.

"Edward kill not, the deed to fear is good."

† Gurney was afterwards seized at Burgos, delivered to the seneschal of Guienne, and put on board a ship in order to be

transported to England; but he was beheaded at sea, in consequence of secret instructions from some lords and prelates in England, who were afraid of his discovering the persons who prompted him to commit such a diabolical action. Maltravers concealed himself for about sixteen years in Germany; but having found means to perform some signal service to Edward III. he ventured to approach his person, threw himself on his knees before him, submitted to his mercy, and obtained a pardon.

under an incurable distemper, and whose only son was yet in his infancy, not being above nine years old, gladly concurred in a proposal which bid so fair to leave his heir in peace with his neighbours, more especially as the gallant Douglas, in whose valour, conduct, and fidelity he had long placed his chief hopes, had lately engaged in an expedition against the Infidels in Palestine, the prevailing knight-errantry of those days. Some authors scruple not to assert that Bruce, on this occasion, liberally distributed among the queen, Mortimer, and their cabal great part of that wealth which he had acquired in his several incursions upon the English borders: however that might be, conferences were opened by deputies from both nations, at Newcastle; and as both parties were equally inclined to a peace, very little time was spent in adjusting the preliminary articles, and a treaty was concluded on the first of March, upon such terms as Bruce at any other juncture could never have obtained, even after the greatest victories and successes.

This treaty, which, in the charter, was said to be done "by the assent and consent of the prelates and great men, earls and barons, and commons of the kingdom, in parliament," contained the following articles*.

"I. That the kingdom of Scotland should remain for ever divided from England by the same marches that separated the two kingdoms in the time of Alexander III.

"II. That Edward should, for himself, his heirs, and successors, release Robert Bruce from all obligations, conventions, and agreements made with any of his predecessors to the subjection of that realm, and declare all charters, deeds, and instruments relating to that subject, null and void.

"III. That Robert Bruce should be acknowledged as the lawful sovereign of that kingdom, free and independent.

"IV. That Edward's eldest sister, the princess Joan, should be given in marriage to David, prince of Scotland.

"V. That Robert should pay thirty thousand marks as an indemnification to the English for the losses they had sustained in the last invasion of the Scots.

"VI. That the subjects of both princes, as well ecclesiastics as laity, should be reinstated in the possession of such lands and benefices as belonged to them in either kingdom.

"VII. That Edward should write to the pope, requesting him to take off the sentence of excommunication and interdict formerly denounced against the king and kingdom of Scotland; and that he should restore to Robert all the regalia and records of the realm of Scotland, which had been carried away by Edward I. together with the original roll of homage (called Ragman's Roll) by which John Baliol and the freeholders of Scotland had acknowledged the superiority of the English monarch."

When these articles came to be made public, they excited an universal clamour throughout the kingdom; the people could not refrain from expressing their dissatisfaction in terms very unfavourable to those who had managed this shameful treaty. They scrupled not to say openly, that this peace was neither honourable nor necessary; that those who had made it, had basely sacrificed the immense

sums spent, and the torrents of blood which had been spilt, in the conquest of Scotland, to mean and private views; that the queen, who, under colour of her husband's incapacity, had taken from him his authority, now plainly discovered how unable she herself was to govern the state; and that the errors committed by Edward II. in the whole of his reign, were nothing in comparison of what she had done in the very beginning of her administration. Notwithstanding these murmurs, Isabel and Mortimer had credit enough with the parliament to get the peace confirmed, and Edward gave a commission to Henry de Piercy and William de Souche, to swear in his name to the observance of the articles.

The king, immediately after this transaction, sent a letter to the pope, desiring he would annul the censures which had been denounced against Robert and his dominions; the princess Joan was sent, under the conduct of her mother, to Berwick, where she was affianced to David Bruce, and from thence conducted into Scotland; and the roll of homage, with all the charters and instruments which might prove the sovereignty of the kings of England over that kingdom, were delivered to the Scottish agents, together with the crown, sceptre, and jewels, which Edward I. had carried away from Edinburgh. Shortly after, Mortimer, as a reward for his late pretended services, was made earl of Marche; John of Eltham, the king's brother, was created earl of Cornwall; and James Butler earl of Ormond, in Ireland.

From the noble figure which Edward made in the succeeding part of his reign, there is the greatest reason to believe that, young as he now was, he would never have been brought to agree to the late inglorious treaty, had not those, whose interest it was to mislead him, artfully diverted his attention from gratifying his resentment against the Scots to another object, which they knew would more effectually flatter that ambition, of which he had already given some striking proofs: this was no less than the prospect of ascending the throne of France, to which Mortimer and the queen persuaded him he had a claim by the death of Charles le Bel, or the Fair, king of France (who died about this time, without male issue), in right of his mother Isabel, sister to that prince. Edward, considering only the lustre of this acquisition, and not the weak foundation on which his claim was built, fell in with the designs of his mother and her favourite, and instantly determined to assert his title to the French monarchy. The pregnancy of the queen of France prevented him, however, from demanding the crown, until it should be seen whether she was delivered of a son or a daughter; but, that he might not omit any of the necessary precautions, he, in the mean time, wrote to the communities of Guienne, Languedoc, and Navarre, acquainting them with his design of asserting the rights and inheritance of his mother, and desiring that they would give him their assistance therein when occasion should offer. He also granted procurations to the bishops of Worcester and Lincoln, to maintain and prosecute his right to the crown of France; he sent ambassadors to form a league with the duke of Brabant, and the towns and cities of Flanders, which were then at actual war with Philip of Valois, whom

* See Rymer's *Fœdera*, vol. iv. p. 337.

the French first declared regent of the kingdom, and afterwards placed upon the throne, when Joanna, the widow of the deceased king, was delivered of a daughter.

Philip was undoubtedly the right heir to the crown of France, as son of Charles of Valois, brother of Philip the Fair. Edward, indeed, was nearer related by one degree, but then he was excluded by the Salic Law, which debarred the females and their descendants from the succession to the crown of France, a law which had been invariably observed in that kingdom for many ages. Ambition, however, prevented Edward from seeing the force of these objections, and Isabel and Mortimer continually offering fresh food to his vanity, he resolved to support his pretensions to the crown of France; and accordingly assembled a great council of the nation at York, on the thirty-first of July, 1328, to lay before them his reasons for claiming the succession to the crown of France, in case the child the queen was pregnant with should not live, or be a daughter.

Mortimer, however, had by this time rendered himself so hateful by his insolent and arbitrary measures, that the noblemen of the greatest consequence in the kingdom began to entertain a distrust of him, and to be backward in concurring with any measures that they thought dictated by him: it was owing to this jealousy, founded on very just grounds, that the assembly broke up without coming to any resolution in regard to the subject proposed for their consideration. Another parliament was convoked at Salisbury, whither this insolent minister came, attended with a powerful body of armed adherents, in direct contempt of an order then subsisting, which prohibited the members from appearing with force or arms, on pain of forfeitures.

Henry, earl of Lancaster, and several other peers, who were on their way to attend this meeting, having received intelligence of this behaviour of Mortimer, resolved not to come to a parliament which they had great reason to believe would not be at liberty to discuss the points relating to the nation's welfare, with that freedom which should ever attend deliberations of that kind; accordingly they proceeded no farther than Winchester: and it was not long before they found their suspicions well founded; for, while the house was sitting and warmly discussing the great affair of the disputed succession, Mortimer forcibly entered with a party of armed men, and, with unparalleled impudence, told the members, that they must not, upon pain of death, presume to speak or act aught against the plan which he had laid down for the king's conduct in this affair.

Intimidated and incensed at this insult, the house broke up in the greatest confusion, without coming to any resolution, and the noblemen who had stopped at Winchester retired each to his own castle, after having first entered into a solemn league to join in humbling the pride of a fellow-subject, who had dared to erect himself into a tyrant over them, and who, as they were told, had even importuned the king to march against them as mutineers and traitors.

The reader may remember, that at young Edward's accession to the throne a council of twelve persons had been chosen, to advise him in all his measures during his minority, and that the particular care of his person had been committed to the earl of Lancaster: but notwithstanding this

precaution, the ambitious and over-bearing Mortimer had in a manner seized the management of all affairs of state into his own hands, by the connivance of the queen-mother and his young sovereign, both of whom he governed with an absolute authority. Not a place of trust or profit was bestowed, but upon such whom he nominated; and the public revenues were left to his disposal, which he squandered away in gratifying his vanity, or making himself dependants: Gaveston, in the very zenith of his condemned power, never exhibited greater instances of pomp and parade. On occasion of the marriage of his two daughters, to the son of the earl-marshal and the lord Hastings, he entertained the king and his whole court with more than royal splendor; and, that no degree of ostentation might be omitted, he held a feast of the Round Table at Bedford, in imitation of that instituted by the renowned Arthur. He treated his superiors and equals with the most provoking contempt; he persecuted without mercy all who were so hardy as to oppose his measures; and he would suffer no one to approach the royal presence, but such as he knew to be in his interests.

The earl of Lancaster could not, without indignation, bear the arrogance of this upstart; and assembling his friends, it was resolved to form a confederacy for their mutual preservation, and to call the insolent Mortimer to account for his crimes and misdemeanors. The association was soon joined by several lords who had been maltreated or insulted by the favourite; and, amongst others, Simon Mepham, the new archbishop of Canterbury, and the bishops of London and Winchester embarked in the common cause, and were reinforced by the earls of Norfolk and Kent, the lords Wake, Audley, and Beaumont, and judge Trussel (the same who had acted as procurator for the nation, in deposing the late king), all of whom unanimously resolved to stand upon their defence against the machinations of the minister, and also to exert their utmost endeavours to bring him to justice.

For this purpose they drew up a manifesto, setting forth the reasons of their opposition, and their intention in having recourse to arms, which they said was,

I. To oblige the queen-mother to refund into the public treasury the revenues she had caused to be assigned her, far exceeding the usual dowry to persons of her rank.

II. To check the over-grown power and insolence of those who governed in the king's name.

III. To bring to condign punishment those who had betrayed their country in the late war with Scotland, by holding a treasonable correspondence with the enemy, at Stanhope Park, and favouring their retreat, when on the point of falling into the hands of the king's army.

IV. To enquire how it happened that the council of twelve, appointed by the parliament, for directing the affairs of the nation during the king's minority, had been discontinued.

V. To make strict inquisition into the manner of the death of the late king, after his being privately taken out of the custody of those to whom he was committed by the parliament.

VI. To bring those to an account, who had embezzled the treasures of the late king.

VII. To oblige those in power to inform the public by whose advice the king had renounced all his

his pretensions to Scotland, and given up all the charters and instruments thereof.

VIII. Lastly, to call those to an account, who advised the king to marry the princess his sister to David Bruce, the son of the mortal enemy to the English nation.

These articles, copies whereof were carefully dispersed all over the kingdom, could not fail of greatly alarming the queen and Mortimer, who found themselves strongly marked out in every one of them. Sensible that they could not vindicate their conduct, they resolved to leave no stone unturned to frustrate the designs of those who meant to put them to such an ordeal trial. With this view they industriously prepossessed the king with the notion that his two uncles had, in conjunction with the earl of Lancaster, who was grand-son of Henry III. formed a project for excluding the issue of Edward II. from the throne; and the young monarch, who had no suspicion of the deceit put upon him, especially as he saw the queen his mother agree to all the measures followed by Mortimer, gave a ready ear to his malicious insinuations, and resolved by force of arms to bring those persons to their duty, whom he now considered in the light of rebels.

In the mean time the confederate lords held a general meeting at St. Paul's, where it was resolved to send the archbishop of Canterbury, the bishop of London, and the king's two uncles, Edmund, earl of Kent, and Thomas de Brotherton, earl-marshal, as their deputies, to work upon the sovereign, and obtain, if possible, his assent to their proposals for a redress of grievances. Unhappily, however, for the success of their designs, the king's uncles suffered themselves to be seduced by the allurements of a court, and the specious promises of the queen and Mortimer; and the two prelates, finding themselves unable to effect any thing of consequence without them, endeavoured to accommodate all matters in the best manner they could for the confederates.

The earl of Marche, still supported by the queen-mother, resolved to get the start of his enemies in wreaking his vengeance; and with this view, in the beginning of February, 1329, he got together an army, with which he seized Leicester, plundering the goods and wasting the lands of the earl of Lancaster; while that nobleman, on his side, assembled his forces, and advanced as far as Bedford against this insolent invader of his property.

The earl of Lancaster was extremely popular in the kingdom, so that numbers flocked from all parts to enlist under his standard, which made the court apprehensive that he might, in a short time, become too powerful to be quelled, more especially when they found the citizens of London in a particular manner espousing his cause, and launching forth the most bitter invectives against the earl of Marche, whom they accused of being the author of all the calamities which seemed to threaten the nation.

In this situation of affairs it was judged most expedient to try the gentle methods of accommodation; accordingly, after several meetings on both sides, it was agreed that all grievances should be redressed in the next parliament; and in the mean time a general pardon passed the great seal for all those who had joined in the late confederacy.

Joanna, queen-dowager of France, having been delivered of a princess the preceding year, Philip

of Valois had been placed on the throne of that kingdom by the unanimous voice of the people; but being engaged, in the beginning of his reign, in a war with the Flemings, he was some time before he sent to demand Edward's homage for the provinces of Guienne and Ponthieu: it was not till April in this year 1329, that he caused him to be summoned to appear and do homage in person. Edward was very unwilling to acknowledge his dependence upon a prince whom he affected to consider as holding a crown that was his right; and at the same time did not chuse to risque the loss of his dominions on the continent, which would undoubtedly have been the case had he peremptorily refused to do the accustomed homage; he therefore sent over ambassadors to excuse his non-attendance, or at least to obtain a delay: but Philip, who saw into his real sentiments, threatened to confiscate his lands unless he instantly complied with the summons. Edward finding that his brother of France was not to be trifled with, resolved to pass over to the continent; and, to make himself amends in some measure for the mortifying step he was obliged to submit to, he ordered a great number of his lords to attend him; and setting sail from Dover, on the twenty-sixth of May, with a splendid equipage and a retinue of a thousand horse, he went to Amiens, where Philip expected him, and there did the required homage.

We have the following account of the manner in which this ceremony was performed in Froissart and the *Acta Publica*, which we insert as an amusing and instructive anecdote.

"On the day appointed to do his homage, Edward appeared before the king of France dressed in a robe of crimson velvet, embroidered with leopards of gold, his crown on his head, his sword by his side, and gold spurs at his heels. Philip received him sitting on his throne, his crown on his head, his sceptre in his hand, and clad in a robe of blue velvet, powdered with fleurs de lis of gold: by him stood the kings of Navarre, Bohemia, and Majorca, and all the peers and principal lords of France, whom he had expressly sent for, to be witnesses of this authentic act of dependency."

We must not forget to observe, that Edward, before his departure from England, had, by the advice of the queen his mother, and the earl of Marche, entered a protest before his council, that the act of homage he was about to do, was merely the effect of compulsion, and not to be held or taken as in any wise affecting his claim to the crown of France: but the words themselves of this protest will give the reader the best idea of the end proposed to be answered by this expedient, which it must be confessed, was unbecoming that sincerity which kings ought to profess. The protest, then, was conceived in the following terms.

"That for any homage whatever to be made to the lord Philip of Valois (now bearing himself king of France) by Edward, king of England, for the duchy of Guienne and earldom of Ponthieu, the said king Edward did not thereby intend to renounce his hereditary right to the realm of France, or in any wise to derogate from the same, even though letters thereupon should be signed with either of his seals: and the said king Edward doth farther protest, that he will not do homage to the lord Philip of his own free will, but only for the just fear he hath of losing the said duchy and earldom,

dom, and because he is afraid that he cannot avoid great dangers and irreparable losses."

This declaration was signed by the king in council, but was not communicated to Philip's envoy who had been sent over with the citation; he only received a general answer, that the king would perform, as soon as possible, what he owed the crown of France.

The two kings, however, behaved with the greatest complaisance towards each other; they had even several conferences together after the ceremony; and as they were already related to each other, Philip being first cousin to the mother and uncle to the queen of England, it was proposed to strengthen this affinity by new alliances: a match was projected between John, the eldest son of Philip, and Edward's second sister, Eleanor; as also between John of Eltham, brother to the king of England, and Maria, daughter to Philip of France; but this treaty never took effect.

Edward having finished all his business on the continent, returned to his English dominions on the eleventh day of June following, where he received the news that the brave Robert Bruce, king of Scotland, had died of a leprosy a few days before his arrival, after having governed the kingdom of Scotland for the space of twenty-two years, with equal glory and wisdom. The Scots very justly count him amongst their most illustrious kings, as the restorer of their monarchy. According to Buchanan, and other Scottish historians, while on his death-bed, he recommended three things to the persons he had appointed regents during the minority of his son David, then but nine years of age: the first was, never to hazard a battle in the kingdom; the second, to make no long truce with the English, in case of a future war; the third and last, to have spies always in England, that they might receive the earliest advices of what was passing there, so as to be prepared against any sudden attack.

In the mean time, Mortimer, who imagined, that, after his late triumph over the earl of Lancaster and the other confederate barons, he had no farther opposition to dread, acted more like a sovereign than a minister, and, like most base and evil-minded persons, thought rather to terrify the people into a concurrence with his measures, than to win them over by gentleness and good offices. These proceedings, and the extraordinary degree of credit he held at court, roused the jealousy of the English, who began to entertain as great an aversion and hatred for this new favourite as ever they had done for Gaveston or the Spencers. Among those who discovered their sentiments most freely, Edmund, earl of Kent, was the principal, who, though he had suffered himself to be drawn into the measures of the queen-mother, by her artful insinuations, and had joined in bringing about that revolution which had wrested the sceptre out of the hands of the unhappy Edward II. yet had always maintained a most cordial affection for that unhappy brother; and the infamous behaviour of Isabel, the arrogance of her paramour, and the sudden death of the late king, had at length opened his eyes. Little versed in the arts of policy, he made no scruple of arraigning the measures pursued by the queen and her junto, and had even joined the earl of Lancaster in his endeavours to bring Mortimer to justice. This was sufficient to induce Isabel and the earl of

Marche to work his ruin; and they laid a snare for that purpose, which proved but too successful.

The earl of Kent had often been heard to declare that he never intended that matters should have been carried to so fatal a length against his unhappy brother; and that, could past measures be recalled or the dead restored to life, he would spend the last drop of his blood in redeeming him from captivity, and bringing the authors of his sufferings to justice. Mortimer took the hint, and doubted not that if the earl could be brought to believe his brother yet living, he would exert himself so openly in his favour, as to give his enemies sufficient cause for accusing him of treason.

For this purpose emissaries were set to work to propagate a rumour that Edward II. was still alive, and that the report of his death had been raised only with a design to prevent his friends exciting any troubles in his behalf; that he was still closely confined in Corfe castle, and no one admitted to see him but his domestics, who were confined with him. As this story in a short time became the general topic of conversation, it was not long before it came to the ears of the earl of Kent, who instantly began to make enquiries into the foundation of the rumour, which was solemnly confirmed to him by persons placed for that purpose about him. Nor was the earl the only person deceived by this artful tale; other noblemen of the first distinction firmly believed the same, and were unanimous in their wishes to see their distressed sovereign, to free him from his captivity, and replace him upon the throne, believing that his late sufferings had taught him that lesson so necessary to all kings, that they reign not for themselves alone, but for the happiness and welfare of the people they govern.

Edmund, impatient to be more fully ascertained of the truth of his brother's being yet alive, sent a friar, in whom he placed great confidence, to Corfe castle, in order to make the necessary enquiries, and, if possible, to get a sight of the captive prince. The friar, upon his arrival in that part of the country, found the whole neighbourhood prepossessed with the belief of Edward being actually in the castle. He thereupon pretending business with sir John Deverel, who was governor of the castle, intreated him to inform him whether king Edward was yet living, and in his custody. Deverel, who was a creature of Mortimer's, and had received his cue, made such an ambiguous reply, that the friar no longer doubted of the truth of the report: it is even said, that, with the appearance of great confidence and secrecy, the governor shewed him, through a window, a person sitting at a table, and served with great respect. The friar reporting all these circumstances to the earl of Kent, that nobleman instantly set out for Corfe castle; and sending for the governor, demanded, without the least hesitation, to be conducted to his brother. The treacherous Deverel feigned the greatest fear and surprise at the secret being discovered; he pretended not to deny that Edward was there, but at the same time declared that he could not, without the hazard of his life, suffer any one to see him. Edmund, deceived by this artifice, pressed him earnestly to comply with his request, and even promised to be himself his security for all consequences; but finding the governor inflexible, he desired that he would at least give a letter (which he left with him) to

his

his royal prisoner. This Deverel, after some persuasions, promised to do; but no sooner was the earl departed, than he sent it away by an express to Mortimer, who, overjoyed to have the means of accomplishing the earl's destruction in his hands, carried the letter instantly to the queen-mother, who shewed it to the king her son, at the same time omitting nothing that could incense him against his uncle, and raise apprehensions in his mind for his own safety, unless that nobleman was removed out of the way.

Edward, who had not the least suspicion that his mother was concerned in this malicious plot, readily listened to her invidious insinuations, and instantly wrote to his uncle, requiring his attendance, for some particular reasons, at the parliament to be holden at Winchester, on the eleventh of March, 1330.

Thither the unsuspecting Edmund repaired, and immediately found himself seized, and committed a close prisoner to the castle; and in two days after, namely on the thirteenth of March, was formally accused of high-treason before the parliament; and his own letter to Edward II. (in which he assured that prince, that himself and many others were ready to do their utmost to procure his liberty), being produced, he could not disown it; whereupon he was found guilty of high-treason, and condemned to lose his head, which sentence was accordingly executed upon him on the nineteenth of the same month*; the queen and Mortimer having taken care, in the intermediate time, to prevent any one approaching the king to sue for the pardon of a prince so nearly related to him. Thus fell this deluded prince, in the twenty-eighth year of his age, whose greatest crime was his affection for an unhappy brother, and his detestation of the infamous machinations of an unnatural wife and an ambitious favourite. Walsingham says, that the king knew nothing of the sentence passed upon his uncle, or of his execution, till it was too late; but this does not seem very probable: however, he made a shew of great affliction for his untimely fate, and ordered his body to be decently interred in the church of the Dominican Friars, at Winchester.

Mortimer, against whom a general clamour was now raised as the author of this popular nobleman's destruction, thought it necessary to offer some apology for his conduct; and with this view trumped up a pretended confession of the deceased earl, in which he accused the archbishop of York, the bishop of London, the abbot of Langden, William lord Zouch, Fulk Fitz Warrenne, and the Dominican Friars of London with having joined him in a confederacy to restore Edward to the throne; and that for this purpose a body of foreigners had been actually invited over to England. In consequence of this impudent forgery the several persons named in the confession were prosecuted for treasonable designs; the earl of Lancaster was arrested upon suspicion, several Dominican and Carmelite Friars were banished, and proclamations issued throughout the kingdom, enjoining the sheriffs of the several counties to take into custody all those who should say that Edward II. was still alive. But the authors of the plot against the unhappy Ed-

mund, contented with that sacrifice, dropped the prosecution against his pretended accomplices, not caring to examine matters too strictly, for fear of giving occasion to a discovery that it was their interest to conceal.

The whole nation now bowed before the power of Mortimer; his adversaries were intimidated into a passive compliance with his measures for a time; but the resentment that lay smothering in their breasts, was not long before it burst into a furious flame, that overwhelmed the detestable object with merited destruction. In the mean time, however, he would not let slip the present favourable opportunity of gratifying his avarice and ambition in the aggrandizement of his family: he procured the best part of the late earl's estate for his third son, Geoffrey; and, in failure of issue of his body, for himself and his heirs for ever. To these were added grants of several estates that had belonged to the Spensers, in Wales. In a word, he affected, on all occasions, such pomp and splendor in his entertainments and progresses through the country, and his whole behaviour discovered so much vanity and ostentation, that his own son Geoffrey could not forbear calling him the King of Folly.

While these things passed, hostilities had commenced on the frontiers of Guienne, between the French and English. John of Eltham, the king's brother, was appointed governor of that province, and a resolution formed to send him over with troops sufficient for its defence. On this occasion Edward applied to the clergy for an aid, to defray the necessary expences; but they excused themselves from complying, by alleging that the pope had lately taxed them at a tenth of their benefices, and all the profits of vacant livings, for the space of four years.

On the fifteenth of June this year (1330), queen Philippa was delivered, at Woodstock, of her first son, who was christened by the name of Edward, and was the same who afterwards became so famous in the annals of Europe, under the title of the Black Prince. This happy event filled the nation with universal joy, and brought about the long-desired turn in the administration. The king, who was now in the eighteenth year of his age, seeing himself a father, began to think it high time to govern alone, and throw off the trammels in which he had been so long confined by an ambitious mother and a worthless minister. It is not improbable that he had already entertained some suspicions of their machinations, by an order that he gave Ralph de Neville, before his late journey to France, to array the militia, as appears in the Collection of Public Acts. Be that as it might, he now gave such evident tokens of dislike to Mortimer, that the courtiers soon perceived that he was grown weary of being under the guardianship of his mother and the favourite; and as Mortimer had rendered himself universally odious, no endeavours were left untried to cherish the king's suspicions against him, by representing that the earl of Marche on all occasions affected a pomp and state superior to that of his sovereign; that he filled all the places about the royal person with his own creatures; that he exerted an absolute authority over the lives and for-

* The earl was brought upon the scaffold about noon; but he was so universally beloved, that the common executioner refused to perform his office; nor could any one be found to supply his place till towards the evening, when the sentence was

executed by a felon from the Marshalsea, who, as a reward for his service received a free pardon for the crimes he had committed. Knyghton. Col. 2552.

tunes of the subject, whom he oppressed or countenanced according as they appeared to be his friends or opponents: they represented the murder of the late king, and the death of the earl of Kent, as preludes to a more bloody design of extirpating the whole royal family, and rising from their destruction to the sovereign power: in a word, these representations awakened Edward to such a thorough sense of his own danger, that he from that instant devoted Mortimer to destruction, and resolved to circumscribe the authority of his mother, whom he saw but too just reason to suspect of using her influence for the aggrandizement of her favourite, even at the expence of her own family and honour: however, he carefully concealed his purpose till an opportunity should offer, of acting with security to himself; for Mortimer had so entirely engrossed the administration of affairs, that the whole power of the kingdom was at his devotion; he was always upon his guard, was constantly surrounded by a body of one hundred and eighty armed knights and their followers, and had even encompassed the throne itself with his dependants, who served as so many spies to inform him of every step taken by the king or his friends. Notwithstanding these obstacles, which would have deterred one of less courage than Edward, he resolved to persevere, and imparted his design to William, lord Montacute, and some other noblemen, who all joined in advising him to apprehend the earl during the session of parliament which was summoned to meet about fifteen days after Michaelmas, at Nottingham.

Edward readily concurred with the proposal, and it was farther resolved that he should seize the castle of Nottingham into his own hands; but it seems as if the queen-mother and Mortimer had gotten some intelligence of what was designed against them, for when the king and his friends came into the town they found the castle filled with the attendants of Isabel and the earl, who themselves had taken their quarters there, insomuch that there was room only for the king and a very few of his followers, the rest being obliged to lodge about a mile out of the town. In the mean time Mortimer and the queen were concerting measures for frustrating the designs of their enemies, by seizing their persons, and confining them in the castle; but happily the good genius of the nation turned all their diabolical schemes against themselves.

The king and his friends finding it impracticable to execute their scheme without the concurrence of the governor of the castle, sir William Eland, the lord Montacute was sent to gain him over to their party, which was very quickly done, that loyal gentleman joyfully embracing this opportunity of manifesting his affection for the person of his sovereign, and his detestation of those who, by their infamous conduct, had well nigh brought their country to destruction: but he told the nobleman sent to sound him, that it was impracticable to give any persons admittance by the common entry, because the queen had the keys of the castle brought to her every night, and laid under her pillow. However, he bethought himself of an old cavern on the western side of the castle, which led to a subterraneous passage communicating with the fort, through which he undertook to conduct the confederates to the earl of Marche's apartment: this expedient seemed to promise fair for effecting their wishes; and the lords Montacute, Molines, Uf-

ford, Stafford, and Clinton, with sir John Neville of Hornby, sir Humphrey, sir Edward, and sir William de Bohun, engaged to carry the enterprise into execution.

On the nineteenth of October, the day appointed for this purpose, sir William Eland, agreeable to a plan previously concerted, took horse and left Nottingham, accompanied by the lords and knights above-mentioned. This politic conduct deceived Mortimer, who thought they had fled to avoid being seized by his adherents, and gave himself up to full security; but about midnight they all returned again, and entering the subterraneous passage (which, from this transaction, took the name of Mortimer's Hole, which it still retains), they were conducted by sir William Eland into the chief tower of the castle, from whence they proceeded to an apartment next to that of the queen, where Mortimer was sitting with the bishop of Lincoln, and others of his faction. At the first alarm, two knights of the guard attempted to dispute the passage with the confederates, but being slain by the lord Montacute, Mortimer himself was taken prisoner.

The queen, hearing an unusual noise, and suspecting what was doing, rushed into the room just as they had seized the earl of Marche, and imagining that the king her son was at the head of the party, exclaimed, "*Bel fitz! bel fitz! ayez pitié du gentile Mortimer!*" that is, Good son! good son! spare the gallant Mortimer! But notwithstanding her entreaties and cries, the earl was carried out the same way the confederates came in, and conducted under a strong guard to the Tower of London; as were also Oliver de Ingham and Simon de Bereford, his chief counsellors and confidants, and two of his sons that were found within the castle.

The king then summoned a parliament to meet at Westminster, on the twenty-sixth of November; and a proclamation was issued for all persons who had any complaints to prefer against the late minister, to appear with the same before this assembly, in order to obtain a redress for all their just grievances.

This parliament met with dispositions very different from those of the former, which had consisted mostly of the creatures and adherents of the queen-mother and Mortimer. The first business entered upon, was to draw up articles of impeachment against the earl and his adherents, under the following heads:

I. That he, the said earl, had, in violation of the decree of parliament, vesting the government of the realm in a council of regency, usurped to himself the royal power, and had beset the king with his own creatures and friends, that he could do nothing but as a man under guard and restraint.

II. That, in defiance of a law prohibiting any member of parliament to appear at the same with force or arms, he, the said earl, had appeared there armed, with others of his party, and had broken into the house, disturbing the deliberations of the assembly, and threatening several of the members with death: and that he caused the king to create him earl of Marche, and make him grants of sundry lands, in disherison of the crown.

III. That he had advised the king to pursue the earl of Lancaster as a traitor, with an armed force, and to oblige the said earl, and several other nobles of the realm, to submit, on saving to themselves life

life and limb; and that several of them had been wrongfully disseized of their lands, and others sent into exile.

IV. That by a traiterous and infamous plot he had caused the earl of Kent to be condemned to death in the parliament at Westminster.

V. That he had created a difference between the queen-mother and her late husband, to the great dishonour of her son and self, and great damage of the whole realm.

VI. That he had embezzled the king treasures and jewels; and appropriated to his own use twenty thousand marks of the money paid by the Scots on the conclusion of the late treaty.

VII. That he had persuaded the king to pardon two hundred Irishmen, who had murdered the king's liege subjects; whereas the king should have revenged their death instead of pardoning their murderers.

VIII. That he had conspired to render suspected, and to destroy, the king's best friends.

IX. and lastly, That he had caused the late king to be removed from Kenelworth to Berkeley castle, where he was barbarously murdered by the traiterous contrivance of the said earl and his confederates.

These articles being universally notorious, the assembly, without proceeding to examine any witnesses, or admitting the earl to make his defence (an example which he himself had set them in the case of the earl of Kent), pronounced him guilty of high-treason*, and he was condemned to be hung, drawn, and quartered; which sentence was executed within two days after it passed, namely on the twenty-ninth of November, at a place called the Elms, about a mile from London, where his body hung for two days on the common gallows, his head and members being placed on the Tower and other conspicuous parts of the city.

Simon de Beresford underwent the same fate, and the like sentence was pronounced against Maltravers, Gurney, Deverel, and others, who had been immediately concerned in the murder of the late king, but had found means to make their escape to the continent, and the parliament offered a reward for bringing them to justice. The lord Berkeley was also arraigned as being accessory to the king's murder; but, upon a full examination was honourably acquitted by a jury of twelve knights: he was, nevertheless, committed to the custody of Ralph Neville, steward of the household, until he should answer in the next parliament, for the negligence and infidelity of his servants.

Edward having thus freed himself from his governors, and brought the traitors to condign punishment, next deprived his unworthy mother of all her ill-gotten possessions, and reduced the exorbitant dowry she had got settled upon herself to an annuity of three thousand pounds, and lands were assigned for its payment: at the same time she was confined to her house at Rishings, near London, lest, by her intrigues, she should excite fresh troubles. And now the king published a proclamation, letting his subjects know that he designed to assume the reins of government: he also resumed into his hands all grants that had been made during his minority, and rewarded the loyal

knights, who had assisted him in seizing Mortimer and his adherents, suitable to the eminent services they had performed; the fines and confiscations awarded against the barons who had appeared in arms with the earl of Lancaster at Bedford, were remitted; the sentence of attainder against the earl of Kent was reversed, and his son restored to the family-estate and honours, as was the earl's widow to the enjoyment of her jointure.

The king began his administration of public affairs with several wholesome regulations, that gave his subjects a pleasing prospect of his succeeding reign. All the sheriffs whom Mortimer had appointed, were displaced; orders were sent to all judges to administer immediate and strict justice to all persons, notwithstanding any letters to the contrary, which might have been formerly procured from the crown: in a word, every measure was taken that appeared best to conduce to the establishment of peace, and the proper management of the public money.

During these domestic commotions, the English affairs had been upon a very precarious footing in France. The count of Alençon had invaded Guienne, and taken Xantes; and though matters had been in some measure compromised, so as to put a stop to hostilities, the war was now ready to break forth with greater fury. Edward, therefore, judged it necessary to have a personal view with the French monarch, in order, if possible to accommodate matters in an amicable manner, and determined to go over to the continent on pretence of performing a vow of pilgrimage which he had formerly made. Accordingly, leaving his brother, John of Eltham, guardian of the realm, he took shipping at Dover, in the beginning of April, 1331, with a very small retinue, and arrived safely in France, where he had an interview with king Philip, with whom he settled all differences, in acknowledging that he owed liege-homage for Guienne, and promising to pay the remainder of the sixty thousand livres, and the fifty thousand marks, stipulated in the treaty with Charles le Bel (or the Handsome) as due to that prince for costs in the sequestration of Guienne.

On the other hand, Philip granted a pardon to the officers of that duchy, who by that treaty were banished their country; he restored the town and castle of Xaintes, paid thirty thousand livres Tournois to repair the damages done by his forces.

The king having thus finished the business for which he had crossed the sea, returned to England, and summoned a parliament to meet in September, at Westminster, in order to take their advice in a design that he had formed to go over to Ireland in person, to quell a rebellion that had been lately raised in that country; but, after a mature deliberation, the assembly judged it most expedient to send some experienced officer, with a body of troops, to undertake that business, and that the king should remain in England till affairs here should be put on a more settled and firm footing. In the mean time, as the kingdom was grievously infested with several bands of desperate banditti, who, taking advantage of the late commotions, had set the magistrates at open defiance, and exercised their lawless depredations with impunity, a proclamation was now issued, forbidding the assembling of justs and tour-

* This irregularity, however, proved advantageous to his family, for Roger, his grand-son, obtained an act to reverse his sentence as erroneous, and we shall, in the sequel of

this history, see his descendant by the fourth line mount the throne of England.

naments, which served as a plausible pretext for the gathering together of armed people, to the disturbance of the public tranquillity, and the great terror of the peaceable inhabitants; at the same time the great lords were enjoined to withdraw their protection from these lawless robbers, and every other precaution was taken to suppress them; but to such a height of insolence and power were they grown, that the king found it necessary to march against them in person, which he did with such success, that in a few months they were all either slain or expelled out of the kingdom, and the nation remained secure from these freebooters during the rest of this reign*.

No provision had been made in the treaty with France for the restitution of the Agenois, but that affair was left to the decision of eight French peers, to be named by the king of England; Edward therefore now resolved to recover that country, which he thought his just right, in case the award of the French umpires should be contrary to his pretensions, and actually began to make preparations for carrying his design into execution.

Philip of France having been lately appointed generalissimo of a crusade by the pope, he solicited the assistance of the other powers of Europe for that expedition; and, in the beginning of the year 1332, sent to press Edward to engage therein with him in person; a proposal which his council persuaded him to reject, unless Philip would wait till the affairs of Ireland were settled, and the nation secured against all danger from Scotland, where a surprizing revolution was on the point of taking place.

It had been stipulated in the treaty concluded with Robert Bruce, that the Scots should be restored to their estates in England, and the English be reinstated in such lands as they had formerly enjoyed in Scotland: nevertheless, several barons, namely, Henry lord Beaumont, earl of Buchan, David de Strathbogie, earl of Athol, Gilbert Umfrville, earl of Angus, the lords Wake, Fitz Warrenne, Stafford, Ferrers, Mowbray, Talbot, sir Roger Swinnerton, and others, were still debarred the benefit of this article. Edward, upon the complaints of these, had applied to the Scottish regency for redress, but had only received evasive answers, without any step being taken to do the required justice to these noblemen, which gave him great reason to believe that the Scots intended to retain the lands they thus with-held: besides, they had lately taken by surprize the town of Upsetlington, belonging to the bishopric of Durham, though lying on the northern side of the Tweed. The king, who had for some time considered the late treaty, brought about by the traiterous contrivance of the earl of Marche, as a stain to his honour, and highly injurious to the interests of his crown, was far from being displeased that the Scots had given him so plausible a pretext for breaking through it, and once more reviving his claim of superiority over that nation; nevertheless, the solemn assurances he had given the pope, that he would preserve the late peace inviolable for four years, seemed to lay an insuperable obstacle in his way: but ambition is ever fertile in expedients to answer its purposes. The king, on this occasion insinuated to the earl of Buchan, that

the most effectual method to obtain justice for himself and his fellow-sufferers, was to bring about a change in the Scottish government, by inviting Edward Baliol, son of John Baliol, who had been left a minor and captive in England, to make an attempt for the recovery of his father's crown, Edward promising at the same time to connive at any proceedings they might judge most expedient for this purpose.

The minority of David, the son and successor of Robert Bruce, seemed to promise those engaged in this enterprize all the success they could wish: they applied to young Baliol, who, after so long an interval, little expected an invitation of this nature; nevertheless, he lent a ready ear to so flattering a proposal, and being fully assured of the king of England's connivance, whatever appearances policy might oblige him to wear, he began to make preparations for passing into Scotland, whilst the confederate lords on their side began to levy an army, in order to support his claim.

Whilst Baliol and his friends were making their preparations, Edward pretended punctually to observe the peace with Scotland, and even published a proclamation against those who were engaged in the service of Baliol; but care was taken not to do this till it was too late to prevent the designs of those it seemed directed against; it was sufficient for Edward that he thereby deceived the public, and prevented them from supposing him to be concerned in this undertaking. The confederates embarking at Ravenspur, in Yorkshire, they arrived, in the beginning of August, at Kinghorn, where they found sir Alexander Seaton, with a body of militia, prepared to oppose their landing; but they charged the Scottish general with such resolution, that he was defeated and slain, with near a thousand of his men.

Baliol, after this success, reviewed his little army, which he found fell short of three thousand men; nevertheless, to shew his followers that they were to trust only to their courage for their safety, he sent back his ships, resolved to cut off all possibility of retreat, in case they should change their mind. Then he advanced to Dumfermlin, where he made himself master of a magazine of arms and provisions, a very seasonable supply. From thence he proceeded to Gladsmuir, where the earl of Marr was waiting for him with an army of near forty thousand men, having posted an advanced guard on the other side of the river Erne, to oppose the passage of the English; but Baliol being informed by his spies, that the Scots, trusting to the superiority of their numbers, lay encamped in the most careless manner, he passed the stream at a place called Duplin, the only place where it was fordable, and falling upon the enemy unawares, and in the night-time, put them to an entire rout before morning.

The English flattered themselves that they had now gained a complete victory, supposing this party to be the whole of the Scottish army; but some of the chiefs ascending an eminence to take a view of the country, beheld, to their great astonishment, the main body, under the earl of Marr, advancing towards them, in three divisions. They instantly hastened with these tidings to their camp, upon which the English flew to their arms, and, posting them-

* This year the art of weaving woollen cloth was brought from Flanders into England by John Kempe, to whom the king granted his protection, and at the same time invited over

fullers, dyers, &c. to carry on that manufacture. See Rymer's Fœdera, vol. iv. p. 496.

selves in a narrow defile; resolutely waited the approach of the foe: nevertheless, it is most probable that they must have at length yielded to the great superiority of numbers, had not a dispute, which arose between Marr and Robert Bruce, earl of Carrick, a natural son of the late king, thrown victory into their arms.

The earl of Marr having purposed to send Baliol a summons to surrender, upon condition of safety for life and limb to himself and followers, Carrick, naturally headstrong and impetuous, and meditating nothing less than the utter destruction of those whom he looked upon as invaders of his country, upbraided Marr with cowardice and a design to betray the interests of the nation. That nobleman, unable to bear an imputation of so invidious a nature, gave orders for instantly beginning the attack, which was done with such confusion that, when they came to the defile, the horse and foot tumbled over one another, and lay in heaps, an easy prey to the swords of the English, who made a most terrible slaughter amongst them: the earls of Marr and Carrick, who had contended for the foremost place in the attack, were among the first who fell; there were also slain Alan, earl of Monteith, Campbell, the Scottish earl of Athol, the lords Neil and Alexander Bruce, Robert lord Keith, William lord Hay, constable of Scotland, Alexander lord Lindsay, a great number of knights and gentlemen, and about thirteen thousand common men, while the loss on the side of the English was very inconsiderable. In this action the English are said to have given no quarter, as not willing to be encumbered with prisoners.

Animated by these repeated successes, Baliol advanced to Perth, which he entered without opposition, and immediately set his troops to repair the fortifications, a precaution which the event shewed to have been very prudent; for Patrick Dunbar, earl of Marche, and Archibald lord Douglas, who had not been able to come up time enough to prevent the late defeat of their countrymen, resolved now to block up the victor in the place he had made himself master of, and compel him by famine to surrender. In order to effect this design more certainly, they had engaged one John Crabbe, a Flemish sailor, in their service, with ten ships, well armed and manned, with orders to fall upon and destroy a squadron of English ships, which were lying at the mouth of the river Tay, to supply Baliol's army with provisions.

Crabbe made the attack pursuant to his orders, but with such ill success that most of his vessels were either destroyed or taken; and the Scottish generals finding their design frustrated by this accident, and fearful of their provisions failing, abandoned their enterprize, and dispersed their forces.

Baliol's good fortune produced the usual effects: great numbers of lords and gentlemen of the country came over to him; the Scots in general were filled with such consternation at their late losses, that they gave up all thoughts of opposition, and Baliol was crowned king of Scotland, at Scone, in the month of September, while young David Bruce, with his queen Joan, sister to the king of England, finding it unsafe to remain any longer in their kingdom, retired to France, where they were received with great cordiality by king Philip, who granted

them a safe and honourable asylum in Chateau Gaillard.

Upon advice of this revolution, Edward convoked a parliament at York, on the fourth of December, in order to have the advice of his subjects on the measures that would be most proper for him to adopt in this critical conjuncture: but the assembly proving very thin, it was adjourned to the twentieth of January, 1333, when it sat for the dispatch of business: and the situation of affairs in Scotland being maturely considered, it was the opinion of the house, that the king should consult the pope and the French king on the subject, who had both of them warmly solicited him to engage in the interests of young David Bruce. As to his claim of superiority over Scotland, which he had recommended as the principal point of their deliberations, they passed it entirely over, probably because they knew that Edward had already taken his resolution. Let us now return to Baliol.

He was no sooner seated on the throne, than, in order to secure the interest of the king of England, he did him voluntary homage for the kingdom of Scotland, in the same manner as his father had done it to Edward I. that is, with all circumstances of the most absolute submission. In his letters patent he openly declared, that it was with the consent of the king of England, and the assistance of the English, that he had recovered his inheritance, which he said had been fraudulently wrested from John, his father, by Robert Bruce: he also obliged himself to assign the town, castle, and shire of Berwick, in part of two thousand pounds to be yearly paid to the king of England. He offered likewise to marry Joanna, Edward's sister, provided her consent could be obtained, and her marriage with David Bruce annulled. After all these circumstances, which stand irrefragably evinced in the Public Acts, what degree of credit can be given to those historians who labour to vindicate the English monarch's proceedings, so contrary to sincerity and the faith of treaties, and would endeavour to persuade us that he was in no wise concerned in this expedition? Those who are not quite blinded by partiality, cannot but confess that ambition was the sole motive of his conduct; and, if he had any scruples, on account of the bands of affinity which subsisted between him and David Bruce, and the stain that must fall upon his own honour for the disingenuous scheme he was about to engage in, it is but too probable that the prospect of an acquisition like that of the kingdom of Scotland soon got the better of those scruples: of this we shall have occasion to give yet stronger proofs in the course of the Scottish transactions.

Baliol, after his coronation, leaving Perth to the care of Duncan, earl of Fife, marched to Roxburgh; on his way he was attacked by Andrew Murray, whom he defeated and took prisoner. After this he dismissed his troops, and repaired to Annan, with an intent to hold there his first parliament. This appeared too favourable an opportunity to the Brucean party to seize the person of Baliol and his attendants, to let escape them; and they carried on their scheme with such secrecy and dispatch, that the Scottish monarch escaped with the utmost difficulty to Carlisle*; but all his followers fell into the hands of the enemy, and his own brother

* So precipitate was his flight, that he mounted a horse without saddle or bridle, and in that manner made his escape. Buchanan.

Henry lost his life in the fray, in endeavouring to make his retreat.

Flushed with this success, and allured by the hopes of plunder, the Scots now fell into Cumberland, which, being in a defenceless condition, they ravaged at will. The king of England with pleasure beheld this infraction of the peace, which afforded him so plausible a pretext to renounce the treaty, and declare openly for Baliol. He hesitated not an instant to give orders for commencing hostilities against the Scots: a body of troops was sent to the North, under the command of sir Anthony Lucy, who defeated sir William Douglas, the Scottish general, and obliged him to retreat into his own country.

Edward, king of England, finding it no longer necessary to play the hypocrite, openly avowed his design of making an expedition against Scotland. As a preparative thereto, he sent ambassadors to the courts of France, Rome, and Flanders, to complain of the infraction of the peace by the Scots; and at the same time sent to demand homage of David Bruce, which this latter peremptorily refusing, he denounced war against him as a contumacious vassal. The regent, who had been left by David when he was obliged to retire to France, spared neither intreaties, excuses, nor submissions, to divert the impending storm, but all in vain; ambition listens only to what flatters its own views: Edward answered only by appointing his army to rendezvous at Newcastle upon Tyne, from whence he marched, in the beginning of May (in this year, 1333), to Berwick, which he invested immediately, fixing his head-quarters at Tweedmouth.

As the Scots considered this place as the key to their country, they had been particularly careful in supplying it with a strong garrison, under two of their bravest chieftains, sir William de Keith being appointed warden of the town, and Patrick Dunbar, earl of Marche, governor of the castle, both of whom, by the gallant defence they made, fully justified the confidence their countrymen had reposed in their abilities and valour.

Edward finding that he had little success to hope from the ordinary methods of siege, determined to turn it into a blockade, hoping to starve the besieged into surrender, and in the mean time he proposed to carry the war into the heart of Scotland, and, if possible, force the regent to a general engagement: but herein he was disappointed, for Archibald Douglas, the new regent, prudently declined a decisive battle. In this progress, however, he reduced the castles of Edinburgh and Blackness; but finding that the natives had retired with their persons and most valuable effects to inaccessible fastnesses, he would not weary out his troops by tedious and fruitless marches, but returning to Berwick, the siege of which he had committed to Baliol during his absence, he renewed his operations against the place with redoubled vigour.

In order to draw the king from thence, Douglas marched into England, and laid siege to the castle of Banborough, where Edward's queen was at that time lodged; but this monarch, in whose breast ambition was prevalent over all the softer passions, was not to be diverted from his purpose by the supposed danger his consort might be in, from the attempts of the enemy; probably he thought the place sufficiently strong to hold out against their efforts: however that might be, he determined not

to rise from before Berwick till he had reduced it to his obedience.

The garrison had now continued to make the most gallant defence for upwards of two months; but at length, the fortifications being almost entirely demolished, and provisions falling short, they demanded a truce of five days, promising to surrender the place if it should not be relieved before the end of that term. This was agreed to by Edward; and sir William Keith, having obtained a safe-conduct, repaired immediately to Banborough, which was at that time besieged by Douglas, whom he pressed in the warmest manner to come to the relief of the place; and that general accordingly began his march for Bothville, near Halydon Hill, where he arrived on the nineteenth day of July, and drew up his army in sight of the English camp.

The Scottish historians allege, that sir Alexander Seaton, the deputy-governor of the town, delivered his two sons as hostages to Edward; and that the town not being relieved within the time limited by the truce, that prince caused them to be hanged up in sight of the father, who being summoned to surrender according to agreement, at first refused to comply, but would have yielded at last, had it not been for the heroic advice of his wife, who, with a more than masculine spirit, exhorted him to prefer his duty to his king and country before the calls of natural affection. We mention this story here, only to refute it; it appearing to be no more than a pretty romantic tale, stolen from a similar incident in the Roman history, without the least shadow of proof or evidence, and accordingly we find it flatly denied by all the English historians. Not that we mean to vindicate or extenuate every action our English monarchs may have performed: thus much, however, we may venture to affirm, that whatever instances of rigour and severity are alleged against our ancient princes, they ought rather to be imputed to the manners of the age in which they lived, than to the cruelty of their own hearts, or the barbarity of the nation of which they were the sovereigns. But to return.

Douglas being arrived at Bothville drew up his forces in four divisions, headed by the principal nobility of Scotland. The English, on their approach, took post upon the hill, and in like manner drew up in four separate bodies, their wings being flanked with archers, for which this kingdom had always been famous. In this array Edward waited the attack of the enemy, who began to ascend the hill with great impetuosity, about five o'clock in the afternoon; but the steepness of the ascent, the weight of their armour, and the incessant showers of arrows discharged against them by the English bow-men, together with the rolling down of large stones upon their heads, soon put a check to their career: they were obliged to halt for some time; and while they were consulting how best to make the second attack, their general, being transfixt with an arrow, fell lifeless to the ground, upon which they were seized with the utmost disorder and consternation; this was no sooner perceived by Edward, than he gave orders to the lord Darcy to charge them in flank with a body of light-armed infantry, while he in person fell upon their front with a chosen body of veteran troops and a corps of archers on horseback. The Scottish knights, in order to set an example to the common men, had quitted their horses, and given them to their valets to hold, who observing the

the fate of the day, rode off full speed; by this untoward accident the Scots saw themselves deprived of all means either of flight or resistance, and being surrounded on all sides, quickly strewed the field with their lifeless carcases. According to the best accounts, upwards of fifteen thousand of the Scots, with the greatest part of the nobility of that kingdom, were slain or taken prisoners; while the loss of the English was so trivial as hardly to deserve the mention. In consequence of this victory the town and castle of Berwick surrendered the next day, and Edward observed all the articles of the capitulation with a laudable exactness: he permitted such of the inhabitants as chose it, to remove, with their effects; and gave leave to all those who were willing to take the oaths to the English government, to remain in the place, granting them protections for their persons and properties*.

The success of the campaign having answered Edward's most sanguine expectations, he returned into his own dominions, leaving with Baliol a body of troops to complete the reduction of Scotland. Strengthened with this aid, he soon over-ran the whole country without resistance, and reduced all the castles except those of Dunbritton, Urquhart, and two or three others that were deemed impregnable. He then summoned his first parliament to meet at Edinburgh, on the tenth of February, 1334, to which king Edward sent the following commissioners, viz. Edward de Bohun, William de Montacute, Henry de Percy, Ralph de Neville, steward of his household, and Geoffrey Scrope, chief-justiciary. Here whatever had been done in favour of the king of England, was ratified and confirmed by Baliol and his nobles: all the English lords who had served this latter in the recovery of the crown, were reinstated in the lands that had been kept from them in Scotland by the late government, or gratified with others†: all the acts of parliament passed in the reign of Robert Bruce were abrogated. But, with a strange inconsistency of conduct, while he was making cessions that rendered him contemptible in the eyes of the Scots, he impolitically disoblged the lord Beaumont, who had been the chief support of his enterprize, and done him services that should have laid him under perpetual obligations. The earldom of Buchan, which this nobleman claimed in right of his wife, the daughter of Alexander Cumin, was taken in part from him, and given to sir Alexander Mowbray, who had also some pretensions to a share of that inheritance.

Mowbray had been a fast friend to the party of Bruce, but, on the great successes of Baliol, had shifted with the gale of fortune, and made his submission to that prince. The cause between him and the lord Beaumont being brought before the parliament, occasioned long and warm debates; lords Talbot and Strathbogie supported the cause of their countryman Beaumont, while the Scottish members declared for Mowbray: at length, after a violent dispute, in the course of which the two parties were with difficulty restrained from com-

mitting acts of outrage against each other, Baliol gave sentence in favour of Mowbray, upon which the parliament broke up in great confusion: Beaumont and Athol repaired to their estates; and Talbot, in his return to England, was surprized by a party of the Bruceans, and confined close prisoner in Dunbritton castle.

By this impolitic step Baliol caused an irreparable division in his interest, and all his hopes of engaging the generality of the kingdom to submit to his rule were utterly destroyed. He was quickly sensible of his indiscretion, and hastened to repair the mischief he had done, by endeavouring to reconcile himself to those friends he had disoblged: he revoked the sentence he had passed against Beaumont, gratified Athol with other estates, and promised to pay Talbot's ransom; but these concessions came too late, his friends were by this time dispersed, a circumstance of which the Brucean party failed not to turn to their own advantage. Some prelates and noblemen of that party had gone over to France, to solicit the assistance of king Philip, who renewed the league formerly made between his predecessor and Robert de Bruce; and sent Arnold de Odenham, with a body of troops, to support the friends of the royal exile: who no sooner received this reinforcement, than they began to collect their forces, in order to make a powerful effort for restoring David to the throne of his father. Lord Andrew Murray, guardian of Scotland, who had been for some time a prisoner in Roxburgh castle, obtained his liberty at this critical period, and, returning to Scotland, put himself at the head of the party‡.

Murray was soon joined by Mowbray, who conceived himself ill treated by Baliol in the repeal of the sentence which he had passed in his favour; and they in conjunction besieged the lord Beaumont in his strong castle of Dundarg, and obliged him to capitulate. The earl of Athol fled into Lochaber; but finding it impossible to elude the pursuits of the Brucean party, he thought it most prudent to submit and swear allegiance to David, whose friends quickly made themselves masters of the northern parts of Scotland. Indeed, the voluntary homage paid by Baliol to the king of England, and the extraordinary alienations he had made in favour of that prince§, had lost him the esteem and affection of almost all his new subjects: they plainly saw that he was no other than Edward's instrument in subjecting the crown of Scotland to the English dominion; and this was sufficient to make them resolve to shake off the yoke of a king who so visibly betrayed the honour and interest of the nation.

The news of this revolution in the affairs of Scotland was brought to Edward as he was holding a parliament, in the month of September this year, at London, to consult about a design he had formed of accompanying the king of France in his expedition to the Holy Land; but upon these advices from the North, he laid aside his intended project

* Patrick Dunbar, earl of Marche, engaged in the service of Edward, who committed the guard of Lothian and Galloway to that nobleman, in conjunction with Henry lord Percy. Hemingford. Knyghton. Barnes.

† David, earl of Athol, the lords Beaumont and Talbot, were put in possession of the estates they claimed in Scotland. Henry de Percy had the Pele of Lochmaban, Annandale, and Moffatdale, which belonged to David Murray. Buchanan.

‡ It may seem strange that this nobleman should be able to recover his freedom at this very critical juncture, especially as

such a measure was evidently prejudicial to the English interest; but to account for this, it need only be observed, that in those times, prisoners of war were the absolute property of those who took them, and who, for that reason, might set them at liberty upon paying their ransom, without the knowledge or consent of their sovereign.

§ Besides the cession of Berwick, he had resigned likewise to the king of England, Roxburgh, Jedburgh, Selkirk, Dumfries, and the castle of Edinburgh. A.D. Pub. vol. iv. p. 576, 578, 580, &c. Walling.

for the present, and bent his whole attention to retrieve the drooping interest of the English in that country. Having obtained an aid of money for that purpose*, he ordered a rendezvous of his military tenants at Newcastle upon Tyne, by the latter end of January, 1335, and resolved to keep his Christmas in the North, that he might be ready to take the field in the spring.

In the mean time it was judged expedient to send a body of troops to reinforce Baliol, who, notwithstanding the inclemency of the season, found means to reduce the counties of Renfrew, Cunningham, Kyle, and Carrick, and had well nigh surprized Robert, the steward of Scotland, a youth of fifteen years of age†; but the friends of this latter found means to convey him to the castle of Dunbritton, where he remained in perfect security.

Early in the spring of 1335, the king of England entered Scotland by Berwick, and advanced into the very heart of the country, without meeting with the least opposition, the Scottish forces keeping in posts where it was impossible to attack them. Finding, therefore, no enemies to engage, he bent his march southward again for Berwick, where he met with a letter from Patrick Dunbar, earl of Marche, in which that nobleman made him a formal renunciation of his homage.

The earl would probably have paid severely for this his defection, had not the operations of the war been suspended by the arrival of ambassadors from the king of France with a commission to propose terms of peace between the English and Scots. Upon this application, conferences were opened in the month of May, at Gedeling, near Northampton, and letters of safe-conduct were granted to certain commissioners on the part of the Scottish nation to be present at the said congress; in the mean time a truce was concluded, to remain in force till the ensuing Midsummer.

When the French ambassadors came to propose the terms of accommodation, they appeared so evidently partial in favour of the Scots, that Edward rejected them with disdain; as, indeed, it is not unlikely he would almost any terms, resolved as he was to reduce that people entirely to his obedience. Before the opening of the conferences there arrived a nuncio from the pope, who warmly pressed the king, in his holiness's name, to perform his promise of turning his arms against the Infidels in Palestine; but Edward, who looked upon this demand as nothing but an artifice to divert him from the war with Scotland, gave the nuncio such an answer as convinced him he had no prospect of succeeding in the business he came about, and that Edward was not a fit subject for priestcraft to work upon.

All negotiations being now at an end, and with them the short truce lately granted, Edward assembled his army by the middle of July, and, dividing it into two bodies, he sent one to invade Scotland by the way of Berwick, under the command of Edward Baliol, assisted by the earls of Surry and Arundel, the lords Beaumont, Neville, Piercy, Stafford, and Cantelupe; while he himself at the head of the other, attended by the counts of Juliers and Namur, and other foreign knights,

whom he had engaged in his service, and the principal nobility of England, marched by the side of Carlisle into the enemy's country: at the same time a fleet of one hundred and sixty ships were ordered to sail along the coasts of that kingdom, as well to annoy the inhabitants on the sea-coasts as to be at hand to supply his army with provisions.

Notwithstanding these prudent and expensive precautions, he reaped very little advantage from this incursion, for the Brucean party was too wise to face so formidable a foe, but, as usual, retired to their fastnesses, with their most valuable effects, leaving Edward to traverse unopposed a wild, deserted, and barren country; and he, finding that nothing was to be done in the northern parts of Scotland without keeping an army constantly there, superior to that of the Scots, marched to Perth, where he was joined by Edward Baliol, with the forces under his command, who had effected nothing of greater consequence than burning and ravaging the country through which he had passed.

During this campaign, the Scots gained some few trifling advantages, by occasionally attacking the straggling parties and detachments of the English. In one of these excursions they surprized and put to the sword five hundred of Edward's archers. They likewise took prisoners the count of Namur and his brother, whom they attacked with a superior body of forces under the command of the earls of Marche and Murray and sir William Douglas, on a moor near Edinburgh; but this last attack had nigh proved fatal to them, as it occasioned the loss of the earl of Murray, regent of the kingdom, one of their best generals, who, from a principle of romantic honour, not only gave his two prisoners their liberty, but would needs accompany them to the frontiers, where he had the misfortune to be taken by a party from the garrison of Roxburgh.

Edward, finding he could not allure the Scots to a battle, contented himself, while he lay at Perth, with sending his brother, John of Eltham, and sir Anthony Lucy, to ravage the western counties, which were mostly inhabited by the friends of Bruce. Here a bloody engagement was fought between the English and a body of Scots under the earl of Athol and sir William Douglas, in which the latter were defeated with great loss. This check so dispirited the adherents of Bruce, that they determined no longer obstinately to resist so powerful a monarch as Edward, who was already in possession of the greatest part of the kingdom, and had reduced most of the natives to his obedience, but to make their peace on the best terms they could procure. Accordingly, Robert the steward, and David, earl of Athol, made their submission to the king of England, through the mediation of the lords Alexander and Geoffrey Mowbray; and Edward, who was very unwilling to pass his winter in Scotland, readily listened to the proposal.

At length a treaty was concluded on the following terms: "That the Scottish noblemen should have a free pardon for all former offences: that they should enjoy their lands, honours, and offices in Scotland, and be restored to their English possessions, which had been forfeited: that all the privileges and franchises of the church and boroughs of Scotland should

* The barons and knights of the shires voted a fifteenth; the clergy granted a tenth of their revenues; and the citizens and burghesses gave the same proportion of their moveables. Tyrrel. Act. Pub.

† This nobleman, who was lord of the isles of Bute and Arran, was the nephew and heir of David Bruce, whom he succeeded in the Scottish throne, being the first of the royal line of Stuart that swayed the sceptre of that nation.

continue unaltered and inviolable: that none but natives should be put into the offices of that crown and kingdom, excepting only in some particular cases, where king Edward Baliol should be allowed to make use of his prerogative in favour of persons of another nation."

These articles were signed at Perth, on the eighteenth day of August, 1335, by Duncan, earl of Fife, and several others of the Scottish nobility. Others declared themselves ready to stand out to the last extremity rather than submit to the yoke of the English, in hopes of receiving succours from France; but being disappointed from that quarter, the greatest part of these submitted about the latter end of September, on the following conditions:

"They promised to obey Edward Baliol as their king, during his natural life, provided that David Bruce should succeed him in the throne of Scotland, as Baliol had no children; and that in the mean time Bruce should be honourably maintained at London: they also promised in David's name, that he should appear in the next English parliament, to be held at London, and stand to the award of Edward and the English council."

Matters being thus adjusted, the king of England called an assembly of the states of Scotland at Edinburgh, on the ninth of November, when two instruments were drawn up, and sealed with the great-seal of the kingdom, declaring that, "The kings of Scotland, predecessors of David Bruce, had held, in ancient times, their realm of the kings of England, to whom they had done homage and sworn fealty, as appeared by old records and pleas of the crown; David therefore, by his letters patent, made with advice and consent of the three estates of the kingdom, in parliament assembled, did acknowledge to hold the kingdom of Scotland, and also the Isles, of Edward III. king of England, by liege-homage and fealty, as of the superior lord of the kingdom of Scotland, notwithstanding all and all manner of releases, remissions, quit-claims, and other letters, acts, or deeds whatsoever, made by any king or kings of England, to the contrary*."

Edward having received the homage of all those who submitted to his sway, returned to England in triumph, after having ordered the fortifications of Perth to be repaired, the castles of Edinburgh, Stirling, and Bothwell to be rebuilt; and left the earl of Athol † guardian of the northern parts of the kingdom.

The new general had no sooner the command of the English army, than he went and laid siege to Kildrummy, in which the regent's wife resided. The earl of Marche and sir William Douglas hastened immediately to her relief; and though their army was not near so numerous, they defeated and slew the earl of Athol, and relieved the place.

The regent, elated with this advantage, went and laid siege to the castles of Coupar and Lochendoris; and the success of his arms in those parts concurred with the intreaties of the pope and the French king, to induce Edward to conclude a truce with the Scots, till the ninth of May in the ensuing year.

This truce was intended as the prelude to a final peace, and a treaty was set on foot for that purpose, at Newcastle, about the beginning of the following year, 1336. Thither the regent repaired in person, attended by sir William Keith, sir William Douglas, and Robert Lowther, together with six other commissioners of the same nation, deputed by David Bruce from France, to forward the negotiation ‡: but Philip de Valois, who found his interest in the continuance of the dissensions between the Scots and English, gave his envoys such instructions, that, though they affected the character of mediators, they omitted no opportunity of throwing obstacles in the way of the intended pacification. Philip had already supplied the Scots with considerable aids, and he now caused to be intimated to them, that though he had interposed in the quality of a mediator between them and Edward, yet he was determined never to give up the cause of the unfortunate and injured David Bruce, but to persist in supporting him to the utmost of his power, in case the congress should break up without completing the business it met upon. Elated with these promises, the Scottish deputies insisted on such high terms, that Edward broke off the treaty in a transport of resentment, and both sides prepared for the renewal of hostilities as soon as the truce should be expired.

It had been the constant plan of Edward's conduct, ever since he had taken the administration upon himself, to conciliate the affections of his subjects by every popular act he could devise; and as he was now bent upon reducing the refractory Scots to an absolute submission, he thought it would be of no little service to him to oblige the nation with some salutary laws, for the preservation of public tranquillity and the more effectually securing the property and persons of individuals from the designs of secret or open despoilers. With this view he issued several wholesome proclamations, for the freedom and extension of commerce, and the preservation of the weight and quality of the specie; for the more effectual bringing to justice the perpetrators of murders, robberies, and all other kinds of felony; and for restraining his officers from committing excesses in the case of purveyance. By these and other similar means he so endeared himself to his subjects, both of the clergy and the laity, that in a parliament, held about Midlent this year, they cheerfully granted him very considerable subsidies for maintaining and improving the conquests he had made in Scotland, and for the final reduction of that nation under the English government.

Strengthened with these supplies, and burning with resentment against the Scots, who gave him such incessant alarms, he summoned his military tenants to meet him on the borders; and, about the month of June, set out for Berwick to head his army, and marched a fourth time into Scotland, where he ravaged in a merciless manner those counties that had declared against him. The lord Beaumont, who commanded a separate detachment, levelled the town and castle of Aberdeen to the ground, in revenge for the death of sir Thomas Roselin, whom the inhabitants had attacked and slain

* This instrument, contained in a chest, intitled Scotia, is still to be seen in the old Chapter-house in the cloyster of Westminster-abbey; though it is supposed by Tyrrel, and other English historians, to be a mere forgery. Carte. Smollett.

† David de Strathbogie, who had been received into favour, upon his declaring that the fealty he had sworn to David Bruce was the effect of compulsion.

‡ We find a safe-conduct granted for these in Rymer's *Fœdera*, vol. iv.

on his landing at Dunotter: and Edward, having made a progress to the extremity of Scotland, returned to Perth, where, after staying some time to recruit his forces, and leaving a small army with Baliol, he marched back to England, where he was called by more important affairs.

This was Edward's last expedition into Scotland, which he now left a miserable monument of his vengeance. It was, indeed, high time for that unhappy kingdom to enjoy some repose: since it was first invaded by Edward I. so much Scottish blood had been spilt, that it is astonishing, after so many losses, the natives should still be able to contend for their liberty.

While Edward was engaged in this fruitless expedition, the king of France had fitted out a powerful armament, both by sea and land, for the assistance of the Scots, and appointed their young king David admiral of his fleet, who scoured the English channel, wasted the Isle of Wight, with those of Guernsey and Jersey, and threatened a descent upon England; while a strong army was assembled by Philip in France, in order to fall upon Edward's territories in Guienne. He was yet on his progress in Scotland when he received advice of the depredations of the French; and though he would gladly have avoided an open rupture with that nation, till he had completed the conquest of Scotland, yet he thought it high time to provide for the safety of his kingdom. Accordingly he sent letters, empowering the archbishop of Canterbury, the bishop of London, the earls of Surry and Lancaster, with William Clifton, constable of Dover, to hold a great council at London, for concerting the proper means to repel the attempts of the enemy, and guard the coasts against Bruce and his adherents; at the same time he granted a commission to Geoffrey de Say, one of his admirals, to make reprisals upon the French fleet, should it appear off the coast of England or Scotland. At the same time he sent agents to form several necessary alliances on the continent, to over-balance the superiority France had there over England. He found means to gain over to his interest the emperor, Lewis of Bavaria, the duke of Brabant, the earls of Guelders and Hainault, his brother-in-law, the archbishop of Cologne, and other German princes: nay, he neglected not the private assistance of several lords of Germany, Flanders, Holland, Brabant, and Gascony, who engaged, for certain stipulated sums, to supply him with a number of horse.

Having taken these prudent precautions, he, upon his return to England, convoked a parliament at Westminster, on the third day of March, 1337, where his eldest son, Edward, was created duke of Cornwall, the first instance of that title ever known in this country*. In this parliament Edward first

declared his resolution to attack France, and use his utmost endeavours to wrest from Philip de Valois that crown, of which he conceived himself to be the true heir, as next in blood to the late king. In these sentiments he was greatly encouraged by Robert of Artois, related to the blood-royal of France, who was at this time a refugee in England.

This nobleman, who had married Philip's sister, was, of all the great men in France, the person that acted with most warmth to procure the crown for Philip de Valois, and maintained most strenuously the authority of the Salic Law, hoping thereby to establish a precedent in his favour with regard to the earldom of Artois, against Maud, his great-aunt, who maintained that the succession to that estate and title belonged to her, as sister to Robert the second earl of Artois, and nearer by one degree than this Robert, who was only grand-son to the former. This affair had been formerly decided in favour of the lady; and when, from regent, Philip came to be king, Robert, presuming upon the obligations that prince lay under to him, and their near affinity, revived the process in the court of peers, who again decided in favour of Maud. In the course of the law-suit, it appeared that Robert had produced some deeds in support of his claim, which were, upon examination, proved to have been forged by a lady of Bethune, named Devien, who had a singular talent at counterfeiting seals and writings. Devien was thereupon condemned to die, and Philip dismissed Robert from his court with disgrace, and confiscated his estate. Robert then withdrew into Hainault; but Philip still continuing to pursue him, he took the desperate course of throwing himself into the arms of the king of England, who gave him a very honourable reception, and affected to treat him with singular marks of affection and esteem.

Robert was a man of approved valour and great experience, and very extensive capacity; qualifications which gave him a considerable weight in the English councils; and as he breathed the most implacable revenge against Philip, he omitted no arguments to excite the king and parliament to a war against France: and on this occasion he did Edward a singular piece of service, by gaining over to his interest Jacob van Ardevelt, a rich brewer of Ghent, whose credit was so great in Flanders, that he had caused the principal towns to revolt against their earl. According to Froissart, this plebeian, by setting himself up as the patron of the common people, who are, in almost all countries, at variance with their rulers, had gotten all things at his command: he never walked the streets without a guard of fourscore persons about him, who, upon the least sign given them, killed every one they met, who was obnoxious to their leader, who thus

* He was invested with this dukedom "by a wreath on his head, a ring on his finger, and a silver verge:" since which time the eldest son of the king of England is born duke of Cornwall. At the same solemnity were created six earls, viz. Henry de Lancaster, of Derby; W. de Montacute, of Salisbury; Hugh de Audeley, of Gloucester; W. de Clinton, of Huntingdon; W. de Bohun, of Northampton; and Robert de Ufford, of Suffolk. Walsingham.

In this assembly also certain sumptuary laws were enacted, restricting the prelates and nobility to two courses at every meal, and two kinds of food in every course, except on certain great festivals; and for prohibiting all who did not enjoy an estate of one hundred pounds a year, from wearing furs, skins, or silk of foreign manufacture; and the use of foreign cloth was confined to the royal family alone.

These wholesome and salutary laws restraining the progress of luxury and extravagance, and promoting the English manufactures, were so agreeable to the nation in general, that the nobility gave him a fifteenth of their rents, the clergy a sixth of their revenues, and the boroughs granted a tenth of their moveables, besides an additional duty of forty shillings upon every sack of wool which belonged to foreigners: and in order to attach the duke of Brabant the more firmly to his interest, he agreed that a staple of English wool should be established at Brussels; though such an exportation was extremely prejudicial to the manufactures of his own country, and directly contrary to the conduct he formerly observed, when he wisely offered great encouragement to such weavers and clothworkers of the Low Countries, as should come and settle in England. Rymer. Selden.

became so absolute and terrible, that no person would venture to contradict what he thought proper to propose in the assembly of the states of Flanders. This demagogue stuck at no measures, however cruel or unjust, to strengthen his interest or gratify his revenge: he obliged the earl of Flanders to take refuge in France, and he collected and spent as he pleased all the revenues of the earldom: he procured the deaths and banishment of all the noblemen whom he suspected to be in the earl's interest: in a word, he erected himself into a petty sovereign, and having the hands and hearts of all the common people for him, it was no easy matter to deprive him of the lawless power he had usurped. The alliance of this man proved, however, of infinite service to Edward at this juncture, as, besides the supplies of Flemings he expected from him, it afforded him the conveniency of assembling his army in Flanders, and a means to open a passage into the enemy's country from that quarter.

Every thing now prefiged an immediate rupture between the crowns of France and England: mean time Edward, willing to shew his allies that he was thoroughly in earnest, ordered the duke of Brabant to demand the crown of France in his name; at the same time constituted him his lieutenant-general of that kingdom, and issued a proclamation, commanding the French, whom he called his subjects, to pay him obedience. Philip, on his side, invaded Guienne, and seized the castles of that province; at the same time he assembled a considerable force to send against the Flemings, Edward's new allies, and reinstate the earl of Flanders in the possession of that country: but Edward took care to send an army to the relief of the Flemings, under the earls of Derby and Suffolk; who hearing that Guy de Rickenbourg, natural brother to the earl of Flanders, had taken post in the Isle of Cadfant, in order to cut off all passage by sea to Bruges and Ghent, resolved to drive them from thence. Guy, who was prepared for their visit, gave them a very warm reception; but the English, after an obstinate dispute, made good their landing, and then a bloody engagement ensued, in which the earl of Derby, being thrown from his horse, would in all probability have lost his life or his liberty, had he not been rescued by sir Walter Manny, a gallant knight of Hainault, to whose prowess the victory, which at length declared for the English, was in great measure owing. He took Guy de Rickenbourg prisoner with his own hand (by whose ransom he enriched himself and his posterity.) The captivity of their commander struck the French with such a consternation, that, giving ground, they were put to rout with great slaughter.

This victory, which was gained on the ninth of November, 1337, filled Artevelt and his party with the greatest joy: the Flemings, who bore inveterate hatred to the French, pressed Edward to come over without delay, and open the campaign. Accordingly he began to make preparations for that purpose, when Benedict XII. who then filled the papal chair, desirous to prevent the evils which a quarrel of this nature threatened to bring upon Christendom, sent over two cardinals to the English court, in the month of December, to endeavour by all possible means to compromise the differences between the two crowns. Edward could not decently reject a proposal of so christian and equitable a tendency, and therefore postponed his expedition into Flanders for

the present, and promised to defer the execution of his designs till the ensuing spring, and nominated two commissioners to treat of a peace with France and Scotland. He spent the remainder of the winter, however, in preparing his army and fleet, and in strengthening the new alliances he had contracted.

In the beginning of February, 1338, Edward called a parliament, of whom he requested an aid suitable to the great projects he had in view, and for paying the subsidies which he had been necessarily obliged to furnish to his foreign allies. The assembly complied with all, and even more than he asked; but, notwithstanding that the aid granted on this occasion was far greater than any with which his predecessors had ever been indulged, yet it fell short of his real exigencies, for exclusive of the prodigious expence attending his armament, his German allies were as insatiable in their demands as they were dilatory in the performance of their contracts.

And now, having taken all the necessary precautions at home that his prudence could suggest, he thought it necessary to cross the sea to Antwerp, in order to be near his allies, that he might take with them the proper measures for the execution of his designs; for although his ambassadors had concluded alliances in his name with several princes, there were still many things to be settled with them before they could join forces.

Every thing being ready for his voyage, he set sail from the port of Orwell, in Suffolk, on the sixteenth of July, 1338, with a fleet of three hundred ships, accompanied by the chief nobility of England; and, after a quick and easy passage, landed, on the twenty-first of the same month, at Antwerp, the capital city of John, duke of Brabant.

His first care, after his arrival, was to have a conference with Artevelt, and to shew himself to the Flemings, in order to encourage them by his presence. To that end he made a journey to Ghent, where he had an interview with that powerful demagogue, who advised him immediately to assume the title of king of France, by which he would effectually secure the Flemings in his interest, who, by his assuming that style, would see themselves furnished with a plausible pretext for eluding a bond of two millions of florins and a sentence of interdict, in which they had laid themselves under an obligation to the pope, if ever they should make war against the king of France.

Edward could not, without some difficulty, agree to his proposal, but at length he suffered himself to be persuaded; and now he sent to revoke the commissions he had given for treating of peace with Philip, and strictly charged his deputies to do nothing in his name, which might prove derogatory to his right, or be construed into an acknowledgement of Philip's title to the crown of France: and as to the oath of allegiance that he had taken to that monarch for the province of Guienne, by which he seemed to recognize that right, he pleaded, that the protest he had entered in the presence of his council, previous to his going over to do homage, prevented its being any prejudice to him; that he had submitted to it purely out of fear of losing his lands in France; and that, moreover, as it was an act of his minority, that was more than sufficient to invalidate whatever had been done.

Upon Edward's return from Ghent, he was visited by his allies, but they brought with them little more than formal civilities, and excuses for not being

ing able to take the field in less than a month. This gave Edward no small uneasiness, and he began to repent that he had so easily consented to his late step, to oblige the Flemings. When the time for the rendezvous was come, all the parties appeared, except John, duke of Brabant, who, though Edward's first-cousin, made some idle pretence for staying away; the truth seems to be, that this prince was fearful that the two monarchs would at length be reconciled, at his cost, and was therefore willing to secure himself before he engaged heartily in the league. Edward saw into his design, and, to quiet all his scruples, granted him a very extensive charter of commercial privileges for himself and the inhabitants of Brabant; he gave him thirty thousand pounds in part of his subsidy; and, moreover, condescended to promise him under his hand not to quit the Low Countries till the war was ended: by these methods he attached this prince to his interest, and it was now unanimously resolved to attack France forthwith, provided the sanction of the imperial authority, to which the allies were subject, could be obtained.

To get over this obstacle, Edward dispatched the marquis of Juliers and others, as his agents to the emperor's court, to prepare that monarch for complying with his views; and repaired himself to Coblenz, and from thence to Cologne, where the emperor not only readily granted him all he required, but also created him vicar of the empire, with great pomp and solemnity: the manner of performing this ceremony we find thus described by Jos. Barnes, in his Life of Edward III.

"Two thrones being erected in the open market-place, one for the emperor, the other for the king, the emperor took his place first, and king Edward sat down by him. There were present four great-dukes, three archbishops, six bishops, and thirty-seven earls, and, according to the accounts given in by the heralds, seventeen thousand barons, bannerets, knights, and esquires. The emperor, having his sceptre in his right hand and his globe in his left, and a knight of Almaine (i. e. a German knight) holding over his head a naked sword, his imperial majesty did then and there declare the disloyalty, falsehood, and villainy of the king of France*, and thereupon defied him, and pronounced, that he and all his adherents had forfeited the protection and favour of the emperor: and then he constituted king Edward vicar-general of the empire, granting unto him full and absolute power on this side (i. e. to the westward) of Cologne, whereof he gave him his imperial charter, in sight of all that were present."

This dignity intitled Edward to receive the homage of all his German allies, and subjected them entirely to his orders. At his return to Brabant he convoked another council, when the lateness of the season was thought a sufficient reason for postponing the intended campaign till the summer following, when it was resolved to open with the siege of Cambray.

Edward, agreeable to his promise made to the duke of Brabant, determined to pass the winter in the Low Countries, and therefore sent for his queen

over to Antwerp; who, soon after her arrival (on the twenty-ninth of November, 1338), was delivered of her third son, named Lionel, who was afterwards created earl of Ulster and duke of Clarence. The alliance between Edward and the emperor gave great umbrage to the pope, because Lewis of Bavaria, who then sat on the imperial throne, had been excommunicated and deposed by the late pontiff, for having set up an antipope, from whom he had received the crown; and accordingly his holiness wrote a very pathetic letter to Edward, exhorting him to break off all connections with such an impious usurper, lest he should find himself included in the censures that holy church had passed upon him. Edward, however, was not a person to be cajoled out of his purposes, especially by a pontiff whom he knew to be professedly in the interests of his enemy; instead, therefore, of heeding his remonstrances, he sent orders to his commissioners at Compeigne, to break off their negotiations with the French court, at which Philip was so enraged, that he swore in a transport of rage, that Edward should never again possess a foot of land in France, nor would he lay down his arms till he had obliged him to return to England with loss and disgrace.

As Edward's expences, during his stay at Brabant, were excessive, his finances consequently became soon exhausted, insomuch that, in the beginning of the year 1339, he was obliged to borrow money of all the foreign princes who could supply him, for which they had exorbitant interest: he was even necessitated to apply to private persons, and take up such sums as they could lend, however small: nay, we find in the Collection of the Public Acts, that he pawned his crown and his queen's jewels to the archbishop of Triers for fifty thousand florins†, though he received a seasonable supply of fifty thousand pounds sterling from the duke of Brabant, which that prince advanced as the portion of his daughter Margaret, who was affianced to prince Edward, the king's eldest son; as also a considerable aid from the English parliament, which young prince Edward, whom his father had left guardian of the realm at his departure, convoked at Northampton, on the twenty-sixth day of July, 1338.

These and other difficulties retarded his operations in such a manner, that he could not take the field till the twentieth of September, when he put himself at the head of forty thousand men, and encamped between Marchiennes and Douay, and from thence marched into the Cambresis, which he wasted with fire and sword, and halted some time under the walls of Cambray, with a design to form the siege of that place; but being informed that Philip was advancing, with a formidable army, to give him battle, he passed the river Schelde, in order to meet his enemy, and terminate at once a war attended with so ruinous an expence.

Nevertheless the two monarchs remained for six days encamped within two leagues of each other, in the open country between Veronfosse and Fléminguere, without coming to an action. At length Edward (say the English historians, while the French

* Philip had encroached upon the lands of the empire, by seizing the castle of Crevecoeur, in the Cambresis, and putting a garrison into Cambray, at the request of the bishop of that place, who had solicited his protection. Froissart. Raynald.

† In this transaction the *Fœdera* (as in some others) has

the words "*Damna & interessé & retardata solutione*," or, "use and interest in case of delay of payment," which plainly shews, that usury or interest, in our modern sense of the thing, was then customary. Vide *Fœd.* vol. v. p. 101, 102.

will have it that Philip) sent a herald to offer battle, which was accepted by the other, and the following Friday, being the twenty-second of October, was the day appointed to decide their quarrel: but, whilst both sides were preparing with equal ardour for engagement, Philip received a letter from Robert, king of Naples, who passed for a great astrologer, foretelling him ill success whenever he should fight the English, which had such an effect upon the mind of the French king, that though Edward, on the day appointed, drew out early in the morning in order of battle, the former declined coming to an engagement, and the two armies returned to their respective camps. The next day Edward wheeled off towards Avines, for the sake of a more convenient situation, and sent word to Philip, that he would wait for him all Sunday in order of battle; a challenge, however, the French king did not chuse to hazard, but breaking up his camp, and fortifying his frontier towns with strong garrisons, he returned back to Paris, and there dismissed his troops.

Several historians have been fond of affirming, that it was upon the credit of the prediction above-mentioned that Philip would not venture a battle; but it is very improbable that such a circumstance would have induced a great king to take a step so apparently injurious to his military fame: we are, therefore, rather inclined to subscribe to the opinion of those writers, who say that the French king would willingly have come to an engagement, but his council representing the extreme folly of risking his crown upon the issue of a battle with an enemy, whom the season of the year must soon compel to retire, he suffered himself to be persuaded by so salutary and prudent an advice. Nangis, a French historian, says that Edward retired first, not to be forced to a battle: this is not the only instance of contradiction among the historians of the two nations; on this occasion, however, it appears very unlikely that Edward, who had crossed the Schelde purposely to meet Philip, should retreat through fear of fighting; but the other's reasons for not venturing a battle were very strong. Be that as it will, this campaign ended without bloodshed, and Edward, finding that Philip had retreated, dismissed his German troops into winter-quarters, and with own forces marched to Brussels, where he arrived on the first of November, 1339.

Notwithstanding the engagements which Edward had entered into with the duke of Brabant, to stay in the Low Countries till the war was ended, he found it impossible to keep his promise. His absence had occasioned many disorders in England, where bands of robbers and freebooters patrolled the kingdom in large bodies; and the Brucean party had taken advantage of these circumstances, not only to recover what they had lost in Scotland, but even to invade

the northern counties of England. In consequence of these and other advices of a similar nature, all requiring his presence at home, he determined to return to England; and, in order to satisfy the duke of Brabant, who objected strongly to his departure, he indulged that prince with a grant of fifteen hundred pounds per annum, and promised to make the marquis of Juliers an English peer, which he did afterwards by creating him earl of Cambridge, on the seventh of May, 1342, with a pension of one thousand pounds per annum for the support of that dignity, but he never received any summons to parliament: he also left his ally the duke, four English lords as hostages*, besides his queen and the new-born prince, who continued at Antwerp as pledges for his return.

Having thus settled his affairs in Flanders, he next called a council of the allies, wherein it was unanimously resolved to begin the ensuing year's campaign with the siege of Tournay: then setting sail for England, he arrived at Harwich on the twenty-first of February, 1340, and that same day issued out writs for assembling a new parliament at Westminster, on the twenty-ninth of March following†. At the meeting of this assembly the members shewed an uncommon alacrity in assisting the king, and providing for the security of the realm against all invaders; orders were given for fortifying Southampton and the Isle of Wight; for fitting out a fleet of one hundred and fifty sail, to protect the coasts; for sending supplies of provision to the castles of Edinburgh and Stirling; and for raising a body of seven hundred and eighty-one men at arms, two thousand light-horse, and two thousand and ten archers, for defending the Marches bordering upon Scotland. In return for these tokens of affection in his people, the king granted a full remission of all debts due to the crown, and of all prosecutions on forest-trespases since his accession to the throne: to these he added a confirmation of the two charters, and of the franchises of boroughs. At the same time several excellent regulations were made, for preventing the extortion or oppression of the keepers of the king's prisons, and of his other officers; the unnecessary delay of law-suits; and, in short, every step was taken to confirm a perfect agreement between the king and his people. However, before the parliament broke up, they presented an address, praying that the title of King of France, which Edward had assumed, and made use of in all the public acts, might not in any wise be extended to influence the English affairs; and also, "that they might be bound to obey him only as king of England; and that this nation should not be in subjection to the king of France." Whereupon the king gave the parliament letters patent of a singular nature for that purpose, which were, the succeeding year, passed into a statute‡.

Edward's

* Henry of Lancaster, earl of Derby; William de Montacute, earl of Salisbury and earl-marshal; William de Bohun, earl of Northampton; and Robert de Ufford, earl of Suffolk.

† A clause was added to the writs of summons directing that none but knights (*gladiis cincti*), or military tenants, of the crown should be chosen for the several counties, and particularly that no sheriffs or place-men should be returned. Rot. Pat. 13 Ed. III.

‡ This writ, or declaration, which is well deserving a place in the English history, was conceived in the following terms:

"Edward, by the grace of God, king of England and France, and lord of Ireland, to all those which these letters shall hear or see, greeting.

"Know ye, that whereas some people do think, that by reason that the realm of France is devolved to us as right heir of the same, and forasmuch as we be king of France, our realm of England should be put under subjection of the king and of the realm of France, in time to come; we, having regard to the estate of our realm of England, and of our liege-people of the same, will, grant, and establish, for us and for our heirs and successors, by the assent of the prelates, earls, barons and commons of our realm of England, in this our present parliament,

Edward's first campaign on the continent having produced no considerable event, he seemed determined to render the second of more importance; and having obtained such ample supplies from his parliament, he prepared to set out for Flanders, and prosecute the war with redoubled vigour: but as he was on the eve of his departure, he received certain advice from the duke of Gueldres, that the French king had assembled a powerful armament, both by sea and land to intercept him on his passage, or to over-power him in case he should effect a landing: but Edward, glowing with the impatient ardour of a youthful hero, affected to treat this intelligence with contempt, and still persisted in his resolution of crossing the sea at the time he had fixed for his departure, namely, about the middle of June. The bishop of Chichester, who was then chancellor, thought it his duty to persuade the king to delay his voyage till he should be able to take with him a fleet sufficient to oppose the enemy by sea; this prudent advice appearing to Edward as an affront to his courage, in the first emotion of his resentment he took the seals from the chancellor, who thereupon quitted the court. But when the king became a little cooler, he sent for his two chief admirals, Morley and Crabbe, whose opinions corroborating that of the bishop, Edward, with a magnanimity and justice never to be sufficiently extolled, sent for the prelate again to court, asked his pardon for the offence he had given him by the too great warmth of his temper, restored to him the seals of his office, and gave orders for fitting out a fleet, and manning it without delay.

Every thing being got ready with a dispatch equal to his wishes, and having obtained a loan of twenty thousand marks from the city of London, he embarked at Orwell, on the thirteenth of June, attended by the principal nobility of the kingdom. His fleet consisted of two hundred and fifty sail of ships, on board of which was a powerful body of men at arms and archers. A few days after his departure, he espied the enemy's fleet lying in the harbour of Sluys, and prepared for an engagement the ensuing day, when, early in the morning (of Midsummer-day), he saw the French navy, advanced about a mile without the harbour, and formed into three divisions, headed by as many admirals. His eager desire of acquiring fame made him behold this as the most joyful sight that had ever met his eyes: and both sides being determined to exert their utmost efforts, the engagement began about eleven in the forenoon, and was the greatest and most memorable that had been yet seen in those seas, and the first wherein a king of England had commanded in person.

Having formed his order of battle after the example of the French, he hauled upon a wind, in order to gain the weather-gage, and then bearing down upon the enemy, he made the onset with incredible fury; the ships immediately grappling each other, they formed a stable and compact body, on which the men fought as if on dry land,

from the hour above-mentioned till seven in the evening.

The French observing a large English ship which displayed the royal banner of England, they made no doubt that Edward was on board in person, and therefore directed their chief efforts to take or destroy her; but the king, who had made use of this as a politic deception, was in another ship, of equal force but less distinguished: here he gave his orders with a coolness and intrepidity that excited admiration as well in his soldiers as sailors, who were amazed at the knowledge and conduct of their royal and youthful leader, which seemed to rival that of the most experienced commanders by land or sea: in a word, the common men were so animated by his example, that they fought with unparalleled bravery; nor were the French wanting on their part, either in skill or courage; but the English archers, who excelled all the rest of the world in bowmanship, plied their arrows with such success, that they swept the enemy's decks at almost every discharge; and the men at arms boarding their vessels with irresistible fury, obliged them, after a bloody and obstinate conflict, to shun a more immediate and sanguine fate by leaping into the sea, which they did by hundreds.

In this critical moment of horror and confusion, admiral Morley came in sight with the northern fleet, and falling pell-mell among the shattered squadrons of the French, fixed the victory on the side of his countrymen. Two of the French admirals were slain, with upwards of twenty thousand men; and two hundred and thirty of their largest ships were taken. Sir John Crabbe, the other of Edward's admirals was sent in pursuit of the few ships of the enemy which escaped the general destruction, but could not overtake them. The king, who had received a slight wound in his right thigh, passed that night on board, and the next day landed with his forces at Sluys, from whence he proceeded to Ghent, where his queen had been lately delivered of a fourth son, who was afterwards famous under the title of John of Ghent (or Gaunt), duke of Lancaster.

This defeat was considered in France as having given such a fatal blow to the naval force of that kingdom, that none of Philip's courtiers durst acquaint him with the loss, till his buffoon discovered it to him by the following artful jest: coming into the royal presence, he cried out several times, "Cowardly Englishmen! dastardly Englishmen! faint-hearted Englishmen!" The king asked him what he meant by that exclamation? "Because (said he) they durst not leap into the sea as our gallant Frenchmen did."

Edward being at liberty, by this victory, to land his troops without opposition, assembled the finest army that any king of England had as yet commanded: it consisted of one hundred and fifty thousand men, English, Germans, Flemings, and Gascons. With these numerous forces he laid siege to Tournay, after detaching fifty thousand men, un-

liament, summoned at Westminster, the Wednesday next after the Sunday in Midlent, the fourteenth year of our said reign over our realm of England, and the first over France, that by the cause or colour of that, that we be king of France, and that the said realm to us pertaineth as aforesaid, to be named king of France in our style, or that we have changed our seals, or our arms, nor from commandments which we have made, or from henceforth shall make, as king of France, our said realm of England, nor the people of the same, of what estate

or condition they be, shall not, in any time to come, be put in subjection nor in obeisance to us, nor of our heirs nor successors, as kings of France, as afore is said, nor be subject nor obedient; but shall be free, acquit of all manner of all subjection and obeisance aforesaid, as they were wont to be in the time of our progenitors kings of England, for ever. Dated at Westminster, the fourteenth year of our reign over England, and the first over France." See Statutes at large.

der the conduct of Robert d'Artois, who posted himself near St. Omer's, to favour the siege. These last troops were composed chiefly of the militia of Flanders, who being quite unacquainted with military discipline, went one day, in a tumultuous manner, to the number of eighteen thousand, with a design to pillage the suburbs of St. Omer's: Eudes IV. duke of Burgundy, and the count d'Armagnac, who commanded in the place, sallied out upon them, and slew above three thousand; a loss which in itself would have been undeserving of notice, had it not given occasion to a more fatal event. The rest of the Flemings, on hearing the news of the defeat of their comrades, with the additional (though groundless) circumstance, that a considerable body of troops, under the two leaders above-mentioned, were in full march to fall upon them, were struck with a sudden panic, and betook themselves to a shameful and precipitate flight, some to their own homes, others to Edward's camp.

In the mean time the king received advice that Philip was in full march, with an army much superior to that of the English, to oblige him to raise the siege of Tournay*. Edward, sensible that the neighbourhood of such an army would greatly retard, if not in the end defeat his operations, in order to amuse Philip, and, if possible, divert him from his purpose, sent an herald to him with a letter, in which he made him a proposal "to decide their quarrel either by single combat, or by fighting at the head of one hundred men on each side, in order to prevent the greater effusion of Christian blood: or, should he be disposed not to accept of either of these offers, that in such case he would appoint a day for a general engagement under the walls of the town."

This letter was directed "To Philip de Valois," without any other title; and as Philip's whole design was not to hazard an engagement, but only to harraß the besiegers, in order to oblige them to raise the siege, taking advantage of this circumstance, returned for answer, that "he had seen a letter addressed to one Philip de Valois, but as it was not for him, he should have returned no answer to the contents, only that he was willing to observe, that Edward having sworn fealty to him for the duchy of Guienne, and by that act acknowledged his superiority, it ill became him to send a defiance to his liege lord and sovereign; and that as Edward's hostilities had hindered him from undertaking the proposed crusade against the Infidels, he trusted in the protection of God, who would enable him to drive a traitor and the invader of his dominions out of them with shame and confusion†."

Philip, after having sent back the herald with his answer, continued his march, and encamped between the bridges of Cressin and Bouvines. The presence of so powerful an army inspired the besieged with the greatest spirits: the place was provided with a garrison of about fifteen thousand militia, under the command of Robert Butraud and Matthew de la Trie, marshals of France, assisted by the counts of Eu, Guisnes, Foix, Narbonne, and other gallant noblemen, who were resolved to

brave the utmost extremity rather than give up so important a trust: in a word, the defence of the besieged was so valliant, and the English were so continually alarmed by detachments from the French army, that Edward, after several assaults, equally desperate and unsuccessful, found himself obliged to convert the siege into a blockade, hoping by that means to tire out the patience of his enemies both within and without, and to oblige the first to surrender the place, or the latter to hazard an engagement for its relief.

While things were in this situation, Joanna de Valois, mother-in-law to Edward, and sister of the king of France, who had retired to the abbey of Fonteville, after the death of her husband the late earl of Hainault, left her retreat, and came to employ her good offices in order to effect an accommodation between two princes, both so nearly related to her; and her truly Christian endeavours met with such success, that at length the two monarchs were prevailed on to consent to a truce, which was to last from the twentieth of September to the twenty-fifth of June the next year. By the articles of this treaty it was provided,

"That both sides should retain the places they then possessed: that the prisoners on both sides should have liberty to return to their respective homes during the truce, but were to engage their parole of honour to return to the persons whose captives they were, at the expiration thereof: and lastly, that the Scots, with some other allies, were to have the benefit of this armistice, provided they chose to accept the offer."

It may appear very extraordinary, that a prince of Edward's great valour and capacity should have so readily agreed to such an impolitic (and indeed disgraceful) truce, by which he for ever gave up the prospect of taking Tournay, with all the advantages of a successful campaign: but upon a cool review of the situation of affairs at that juncture, our surprize will cease, and we shall be convinced that this step was less the effect of Edward's inclination, than of real necessity; and that three very cogent reasons compelled him to act in a manner which seemed so little agreeable to the great designs he had formed: these were, first, the defection of the emperor and the duke of Brabant, who had both receded from the league: secondly, the excessive charge of maintaining so numerous an army, for which his remittances from England were far inferior from what he expected, or was necessary: lastly, that he was thereby saved the shame of being obliged to raise the siege he had undertaken. Besides, he found it very necessary to give himself and his troops some repose, and endeavour to remedy the inconveniences caused by the levity of his allies and the exhausting of his finances.

When Edward left England, he had settled his affairs in such a manner as he thought himself secure of receiving punctually the necessary sums for paying his numerous army; but he was no sooner engaged in the siege of Tournay, but, to his infinite disappointment, he found himself driven to

* Philip was joined on this occasion by David Bruce, king of Scotland; Philip king of Navarre; John, king of Bohemia; the dukes of Brittany and Lorraine; the bishops Liege, Metz, and Verdun; and by the counts of Bar, Montbeliard, Genoa, and Savoy, with large bodies of troops from their several territories. Froissart. Rymer. Walsingham.

† Edward's letter was dated at Chesne upon the Scheld, near Tournay, July 26, 1340. Philip's answer is dated the thirtieth of the same month in the Fields near the Priory of St. Andrew des Aîrs. See Rymer's Fœdera, vol. v. p. 199. and Tyrrel, vol. iii. p. 428, 429.

the greatest straits, through want of money; his credit began to suffer greatly, and the zeal and ardour of his allies gradually to cool in consequence thereof; to quiet their present clamours, he had been obliged to give them bonds and securities for large sums, at an exorbitant interest: and now leaving Henry of Lancaster, earl of Derby, as a pledge for the payment, he repaired privately, with his queen and two young sons, to Zealand, where, on the twenty-seventh of November, he took shipping for England, and, after a tempestuous and dangerous passage of three days, anchored somewhere about the mouth of the Thames, from whence he proceeded immediately up the river, and landed about midnight at the Tower of London, which, as his arrival was unforeseen, he found wholly unguarded: for this unpardonable remissness in their duty, he ordered Nicholas de la Beche, constable of the Tower, and all his under officers to be committed to close custody.

But the king's resentment fell still heavier upon the officers of his revenue, to whose neglect or malversation in levying the subsidies he imputed the dishonour which had befallen him on the continent; the following persons being, by his order, deprived of their respective charges, and imprisoned, viz. Andrew Aubrey, mayor of London; the lord Thomas Wake, sir John St. Paul, keeper of the great-seal; the bishop of Chichester, chancellor; the bishop of Lichfield and Coventry, lord-treasurer; sir John Stonore, lord chief-justice of the King's Bench; Michael Wath, Henry Stratford, and Robert Chickwell, clerks of the Chancery; add Philip Thorp, clerk of the Exchequer: and a commission was issued, for enquiring into their failures and misdemeanors, in consequence of which they were punished with great severity.

The like fate would in all probability have attended John Stratford, archbishop of Canterbury, had he not, upon the first notice of the king's arrival, retired to his diocese. This prelate had been left by Edward in the character of prime minister during his absence; and had likewise been entrusted with the charge of paying the king's debts to the merchants and corporations of Brabant and Flanders; and though the first year's ninth had been allotted for that purpose, he had been greatly negligent in forwarding the necessary remittances, which had been the chief cause of the ill success of his majesty's affairs before Tournay. Stratford, sensible that he had exposed himself to the king's displeasure, sheltered himself in his sacerdotal character; and when Edward sent a public notary to him, requiring him to make good his bonds forthwith, or to go over to Flanders and remain in that country until the creditors should be satisfied, and in the mean time ordered him to repair to court and give an account of his conduct; he not only refused to comply with either of these orders, but set himself, by every possible means, to thwart and perplex his sovereign. With this view he convened an assembly of the clergy and laity at Canterbury, in the cathedral, where he complained of the rights of the church having been infringed by the late extraordinary levies, and declared himself ready, after the example of the holy Thomas Becket his predecessor in that see, to venture his life in the defence of holy church and her sons, against all attempts of the secular power to render them subservient. In a word, he omitted nothing that he thought most likely to

excite a popular tumult, but happily the temper of the times was not suited to his rebellious and infamous purposes: he went, however, so far as to publish sentence of excommunication against all who should seize the persons, lands, or goods of the clergy, or inform against a bishop for treason or other capital crimes.

When the king was informed of this insolent stretch of ecclesiastical prerogative, he caused a declaration to be entered against the primate in his court of Exchequer; at the same time some merchants of Brabant, commissioned by their duke, affixed a summons on the public Cross at Canterbury, for the archbishop to appear in the duke's court of justice, to answer for the debts in which he was bound, and to continue in the Low Countries until the whole should be fully discharged. The archbishop little regarded the latter of these citations; and as to the summons sent him from the court of Exchequer, he returned for answer, that he was ready to submit his conduct to the judgment of his peers, saving however the rights of holy church, and the dignity of his own order; a salvo very common with the priests of those times, to elude the just punishment due to their seditious practices.

Edward, therefore, found himself under a necessity to call together his parliament, which met at Westminster on the twenty-third day of April, 1341, in which the archbishop appeared with a pomp of attendance that partook rather of the appearance of one going to receive the rewards of the most loyal services, than that of a person called to an account for sacrificing the honour and interest of his sovereign and the nation. On entering the house, he demanded to take his seat as the first peer of the realm; but was told, that would not be allowed him till he had answered to the charge exhibited against him; whereupon retiring, he placed himself at the door with his cross in his hand, and declared himself resolved to support the rights of the church: but all his efforts to carry his point proved ineffectual, even though he solicited several lords as they came from the house to use their good offices in his behalf.

The archbishop, notwithstanding his being in disgrace with the king, had nevertheless a strong party among the temporal peers as well as among the prelates, which latter thought their own interests and the honour of the church deeply concerned in the metropolitan's success. By means of these friends he found means to get a bill brought into the house, for exempting peers of the realm from being obliged to answer against complaints exhibited against them by the king, except in parliament; but it being objected, that such an act would be inconsistent with the interest of the government, which, in many cases, would not admit of waiting for assembling a parliament to punish every offender, the proposers of the bill petitioned the king, that a committee of twelve persons might be appointed, to consider in what cases peers should be bound to answer in any other court than that of parliament.

The committee having made their report, it occasioned several warm debates; but at length it was agreed, that the following clause should be added to the bill under consideration, viz. "That peers should be tried by their peers in parliament, and that their temporalities, lands, tenements, and effects should not be liable to seizure, nor their persons to

to arrest, for any thing relating to any office they should enjoy under the crown; saving, however, the king's rights and the suits of parties; and provided, that those peers who were sheriffs, or farmers of counties in fee, or had received any of the king's money and effects, should account for every thing of that nature, either by themselves or their attornies, in the usual places, and agreeable to the accustomed forms."

This clause particularly affected the case of the archbishop, who, finding his proceedings not so fully approved by the parliament as he expected, and apprehensive that he should at last find himself abandoned to the whole weight of the royal displeasure, he thought proper to cast himself upon the king's mercy; and having made his submission in the Painted Chamber, Edward received him with great condescension, and reinstated the metropolitan in his former place about court, not being willing to continue longer a quarrel which might have proved vexatious in the present posture of his affairs, by reason of his frequent occasions for the assistance of the clergy.

By the Rolls of parliament we find, however, that this assembly made several attempts to circumscribe the royal prerogative, which Edward, much against his inclination, was obliged to comply with, but not without entering a private protest, importing that he would revoke, with the first opportunity, all grants and commissions that should be extorted from him by the necessity of his affairs. This compliance was a very politic step in Edward, who now found the parliament in a humour to indulge him with very considerable subsidies, and in particular with twenty thousand sacks of wool, to be transported to Flanders before Michaelmas, with a prohibition to all other persons from exporting any quantity of that merchandize till after that period, on pain of forfeiting thrice the value, together with life and member. This aid, however, came too late to prevent the bad effect of Edward's lost credit among his allies, most of whom, either from thinking themselves ill treated by the delay in the payment of their subsidies, or being bribed by French gold, deserted the English cause: among the rest, the emperor, Lewis of Bavaria, not only resumed his connections with the French king, whose niece he had married, but also deprived Edward of the vicariate of the empire, which at once released his other German allies from the oath of homage they had taken to him. In a word, there appeared little probability of his ever being able to exert himself again to any purpose, for the recovery of his dominions on the continent, or prosecuting his claim to the crown, when an unexpected event opened him a way into the very heart of Philip's kingdom, where he could attack that monarch with much less expence, and a greater probability of success, than in his former expedition.

Arthur II. duke of Brittany, left three sons by his first wife, viz. John II. who succeeded him; Guy, earl of Penthievre; and Peter: by a second wife he left a fourth son, named John, who was earl of Montfort, in right of his mother. John II. and Peter had no issue; Guy, who died in 1330, left a daughter, named Joanna, who was given, by her uncle John, in marriage to Charles de Chatillon, brother to Lewis, earl of Blois: he was generally called Charles de Blois. John II. dying in the course

of the year 1341, there remained two of the family, John, earl of Montfort, and Joanna his niece, wife of Charles de Blois: both these laid claim to the dukedom; Joanna by right of representation, as daughter of Guy, elder brother of John de Montfort; and the latter, as brother of the late duke, and consequently one degree nearer than his niece, and was actually received as the successor by the people of Nantes, where he convoked an assembly of the states, in order to get them to acknowledge his title; but very few members of any consequence appeared there in his favour except Henry de Leon, a nobleman of great valour, experience, and interest.

John finding that he could not carry his point by fair means, had recourse to other methods; he seized his brother's treasures into his hands, and, having collected a numerous army, he quickly reduced the towns of Brest, Rennes, Hennebon, Vannes, Auray, Guerrande, Cartraix, and several other places that had espoused the cause of his competitor. But as he had good reason to believe that Philip de Valois would use all his power to oppose his pretensions, he thought it expedient to strengthen himself by some powerful alliance: with this view he came over to England, and made Edward an offer of doing him homage, and acknowledging him as king of France, provided he would espouse his cause, and furnish him with the requisite assistance. Edward, who was now wholly disengaged from his German allies, readily accepted the proposal; and, by the mediation of Robert d'Artois, Montfort's cousin, a treaty was concluded, upon which the earl returned to Nantes, where he was scarcely arrived when Philip, who had obtained intelligence of what had passed at the English court, sent him a summons to appear before the court of peers of France, to make good his claim to the duchy of Brittany.

Montfort, not in the least suspecting but that his negotiations with Edward continued a profound secret, and persuaded of the legality of his own title, repaired to Paris by the day appointed; but he found the error and imprudence of this step at his very first audience, for Philip plainly told him, that he had no right to the succession of Brittany, and moreover reproached him with having done homage to the king of England, who was the professed enemy of France, and entering into an alliance with him. Montfort acknowledged his having made a journey to England, alleging it was upon private affairs, but denied his having done homage to Edward, withal adding, that he was ready to stand trial, and submit to the award of his judges, in relation to the affair of Brittany: Philip thereupon appointed a day for the judgment of the process, but in the mean time forbade the earl to stir out of Paris.

Convinced by this injunction, that he had every thing to fear, both for his cause and the safety of his person, took a resolution to make his escape, and accordingly, putting on the disguise of a merchant, and withdrawing himself by night out of Paris, he retired into Brittany. Philip was no sooner informed of his escape, than, in a transport of rage and indignation, he instantly confiscated the earldom of Montfort, commanded the parliament of Paris, by his sole authority and without proceeding to trial, to adjudge Brittany to Charles de Blois, and, the more effectually to carry the sentence into execution, he supplied his nephew with a numerous army,

army, which assembled at Angers, under the command of his eldest son, John, duke of Normandy, with whom went others of the princes of the blood, and a great number of the principal nobility of France.

Their first attempt was on Chantoceaux, which, after an obstinate resistance, surrendered; they next laid siege to Nantes, of which likewise they made themselves masters, through the treachery of the citizens: Henry de Leon, the governor, having made a rash sally, in which he lost upwards of two hundred men, owing to the incautious manner of his proceeding; John de Montfort, on his return, gave him a severe check for his ill conduct, which so exasperated the governor, that, sacrificing his duty and his honour to the emotions of his resentment, he is said to have sent the duke of Normandy word, that if he would attack the place at an hour appointed, he should find an easy admittance: whatever truth may be in this, it is certain that the gates of the town were thrown open to the enemy almost as soon as they presented themselves before it, when, entering without resistance, they seized John de Montfort in the castle and sent him to Paris, where he was confined, in the great tower of the Louvre, for several years.

This event would doubtless have terminated the dispute between the two candidates, had it not been for the masculine genius and conjugal fidelity of Jane* of Flanders, wife of John de Montfort, who, so far from sinking beneath the misfortunes that had befallen her family, undertook to retrieve her husband's affairs. She was as at Rennes when she received the unfortunate news of her husband's captivity; upon which she immediately assembled the burghers and principal men of the place, and coming into the midst of them with her infant-son in her arms, she recommended him to their protection as the last male heir of the race of their dukes, in such a pathetic manner, that they vowed one and all to support her with their lives and fortunes. Her next care was to make a considerable largess to the troops, to bind them more effectually to her service; and, committing the government of the city to William de Cadoudal, she shut herself up with her son in Hennebon, a port of great strength in Brittany, where she determined to remain in hopes of succour from England.

A body of troops had been actually raised for that purpose, under the command of Robert d'Artois, and a fleet assembled for transporting them to Brittany; but just as they were ready to depart, Edward found his attention diverted to another quarter, by affairs of greater consequence, that would not admit of any delay.

Whilst Edward was employed in his war with France, the Scots, under Robert Stuart, regent, had made another effort to recover their liberty, and had gained great advantages over Baliol, who commanded the English army: he was bravely seconded by William Douglas, who never ceased to support the cause of his exiled sovereign, and found means to take the castle of Edinburgh by surprize. By these and other successes in favour of the Brucean party, Baliol had been obliged to retire from the centre of the kingdom, and shelter himself in those places on the borders which he had put into the

hands of the English. The truce made before Tournay, wherein the Scots were included, had obliged Robert Stuart to lay down his arms; but no sooner was that truce broken by the affair of Brittany, than the Scots re-assembled, and laid siege to Stirling, of which they made themselves masters, after repeated and vigorous assaults.

Edward began now to perceive his mistake, in believing that he had so far humbled the Scots that they would never again be in a condition to give him trouble. Fired with rage and indignation, he resolved to invade their kingdom by sea and land, and vowed not to lay down his arms till he had revenged their continual insurrections by a general desolation of the country. For this purpose he gave orders to assemble an army of fifty thousand men, at Newcastle, by the twenty-fourth day of January, 1342, together with a powerful fleet to second their operations and secure his forces a constant supply of provisions during their progress through a country, where they could not expect to meet with any subsistence.

Alarmed at the torrent of destruction that now threatened to overwhelm them, and desirous, if possible, to avert the impending danger, Robert Stuart and Douglas sent ambassadors to Edward, requesting a truce for six months, and promising to submit to his government at the expiration of that term, provided David Bruce should not arrive in the interim with succours from France. A proposal of this nature, evidently dictated by the urgency of their affairs, would most certainly have been treated by Edward with the greatest contempt, had not an accident, which frustrated all the measures he had taken for their total reduction, obliged him to acquiesce: his fleet, on which he had chiefly depended, had been surprised by a tempest on the coast, and most of his ships either lost or disabled. A truce was accordingly concluded for the above term; and the Scots having given hostages for their due performance of the articles, Edward returned to London about the middle of February.

This truce, however, proved but of short duration, for the king of France having furnished David Bruce with a supply of men and money, that prince returned to Scotland, and of consequence hostilities were renewed. David soon found means to assemble a considerable army, consisting of Scots, French, Danes, and Norwegians, to the number of sixty thousand men, with which he made a considerable progress, and penetrated as far as the city of Durham, on the English frontiers, which he reduced after a short siege, and put all the inhabitants to the sword. He would probably have proceeded farther, but on advice that Edward was upon the march against him with a powerful army, he thought proper to retire; at the same time, desperate feuds breaking out between some of the powerful noblemen, the whole kingdom was involved in carnage and confusion. In this situation of affairs, David found it utterly impossible for him to maintain his ground against so powerful an adversary as Edward; and being, moreover, desirous to heal these fatal divisions by a respite from hostilities, he sent to Edward, proposing terms of peace; and the English monarch, being now intent upon the affairs of Brittany, consented that a treaty should be entered

* Rapin calls her Margaret; but d'Argentré, in his History of Brittany, from whom we have taken the above account, gives her the name of Jane.

upon for that purpose; but, after several conferences, it being found impracticable to settle the preliminaries of a firm and solid pacification, yet a truce was concluded, with the consent of France, for two years, and afterwards renewed for two years longer.

While these things passed, Jane of Brittany redoubled her solicitations at the court of England, by Amaury de Clifton, by whom she sent over her young son to be brought up under Edward's eye, with whom she knew he would be secure from any attempts of his enemies; at the same time she commissioned Amaury to propose a match between him and one of the king's daughters, which afterwards took effect; and offered to put Brest, and some other strong holds into his hands, as security for his being reimbursed whatever he should expend in furnishing her assistance. The proposals being relished by Edward, he gave orders for equipping a fleet of one hundred ships, which were to rendezvous at Harwich, in order to carry over sir Walter de Manny, with three thousand archers and a strong body of other troops, to Brittany; at the same time Edward constituted William de Bohun, earl of Northampton, his lieutenant in the realm of France and the duchy of Brittany, and another fleet was assembled at Portsmouth for his reception and that of Robert d'Artois, and a number of English noblemen, who went to accompany him over to the continent: however, by some unforeseen accident, this fleet was not able to sail from England till the month of July.

In the mean time Charles de Blois, attended by the dukes of Burgundy and Bourbon, the counts of Alençon, Eu, and Guisnes, Lewis d'Espagne (of the house of Cerda), with many other French noblemen, had taken the field with a formidable army, reduced Rennes, and invested Hennebon, in which was the countess of Montfort, who defended the place with a bravery that might have done honour to the most experienced general; and in several sallies, putting herself at the head of her troops, she repulsed the enemy with great loss. One day that the French army had quitted their camp, to make a general attack upon the town, she went out by a private way, at the head of three hundred horse, and set fire to their tents and baggage: the sutlers and other servants of the camp, flying in great confusion, carried the alarm to the main body of their troops, who were engaged in the assault, upon which the general gave orders for sounding a retreat; resolving to march and intercept the heroine and her little corps in their return to the town.

Jane finding herself intercepted, retired to Auray; but, at the end of four or five days, returning at the head of five hundred horse, she fought her way through one part of the French camp, and entered Hennebon to the unspeakable joy of the inhabitants, who had entertained the most melancholy apprehensions for her safety.

The besiegers, after this, renewed their assaults with the greatest fury, determined to wipe off the disgrace they had suffered, by being thus repeatedly foiled by a female warrior; but the gallant resistance of the besieged proved more than a match for the fury of the assailants. At length, finding that no hopes remained of reducing the place without the assistance of the military engines, which had been left at Rennes, Charles de Blois left Lewis

d'Espagne, with part of the army, to wait the arrival of those engines, while he marched off to besiege Auray. Lewis having received the machines he expected, pressed the place with such vigour, and made so many considerable breaches in the walls, that the besieged must have been compelled to surrender, had not the arrival of the English fleet, under sir Walter de Manny and Amaury de Clifton, which had been detained two whole months by contrary winds, brought them an unexpected and timely relief. The forces being landed, immediately attacked the French camp, and destroyed all the works and engines of the besiegers, who now found themselves obliged to abandon the enterprise; and marching off, they joined Charles de Blois before Auray. But this latter, thinking himself fully able to reduce that place without their assistance, sent Lewis to invest Guingam and Gueraude, both of which soon submitted: then embarking his forces on board the fleet, he landed at Quemperle, and wasted the country with fire and sword. Manny and Clifton, having advice of these ravages, sailed instantly with a squadron of ships, and, landing their troops, attacked the enemy, straggling about the country in search of plunder, with such advantage, that, out of six thousand men who accompanied Lewis in this descent, scarce three hundred escaped the general slaughter.

Charles de Blois had in the mean time pressed the siege of Auray so vigorously, that the garrison was obliged to surrender. Elated with this success, he returned before Hennebon, which he again invested; but again found all his efforts to reduce that fortress frustrated by the valour of the besieged, and drew off. Jane, however, found that she could not venture to take the field, even with the reinforcement she had received from Edward, and therefore crossed the sea to England, in order to hasten the additional succours which had been raised there, under Robert d'Artois and the earl of Northampton, whom she found ready to set sail; and returning back without delay, in their fleet, she fell in with that of the French, commanded by Lewis d'Espagne, which was cruising off the islands of Guernsey and Jersey: both sides being equally eager to come to action, an engagement ensued, which lasted with great obstinacy till night obliged the combatants to desist. Before day-break, a violent storm arising separated the two fleets; but that of the English was fortunate enough to arrive next day in the port of Hennebon.

The countess and Robert d'Artois having landed their forces, advanced to attack Vannes, which they hoped to take by assault; but at the first attack, in which they persisted the whole day, they were repulsed with considerable loss; however, returning unexpectedly to the charge the same night, they took it by escalade, and Robert d'Artois was appointed governor. The English, however, did not long continue in possession of their conquest; for the greatest part of the troops marching under the earl of Northampton, to form the siege of Rennes, Charles de Blois went and invested Vannes, which, though defended with incredible courage by Robert d'Artois, was at length compelled to surrender: Robert found means to make good his retreat to Hennebon, from whence he was transported to England, but, soon after his arrival, died in London, of the wounds he had received during the assault.

Edward was beyond measure grieved at the untimely fate of this nobleman, and solemnly swore to revenge it; an oath which he kept but too punctually. Having ordered an army to be assembled, he set sail from Sandwich, on the fifth of October, and, after a passage of two days, landed safely with his troops in the port of Brest. His first step was to publish a declaration, importing that he did not come there as an enemy to France, or with any design to break the truce subsisting between the two crowns, but only as an ally of the count de Montfort. He then proceeded to lay siege to Nantes; but the success did not answer his expectation; and finding that the place made an obstinate defence, he changed the siege into a blockade; and leaving a part of his troops to carry on that service, he advanced to Rennes, and in his way reduced the fortresses of Malestroit and Ploemel; then advancing to Vannes, he drew up his forces in order of battle before the town, to the suburbs of which he set fire, in hopes by this bravado to provoke Charles de Blois to give him battle before that prince should receive the succours he daily expected from France, under the duke of Normandy, Philip's eldest son; but Charles being too politic to give into this snare, Edward left the earl of Northampton, and other English lords, with a body of forces, to carry on the siege, and retired towards Nantes, which was on the point of surrendering, when the duke of Normandy arriving with an army of forty thousand men, and advancing to the relief of the place, the king of England re-assembled his troops to strengthen his own army, which did not amount to above twenty thousand men, and entrenched himself in such a manner as to have nothing to fear from any attack of the enemy.

The duke of Normandy, having effected what he came for, would not run the hazard of an engagement, hoping to starve his enemies into a surrender. Thus the two armies lay encamped near each other for the best part of the winter, without any action of consequence passing between them. Notwithstanding this inaction, both parties were considerable sufferers by the diminution of their numbers, through the severity of the season; the English, indeed, lay under the additional disadvantage of a scarcity of provisions, their communication with their own country being in a manner cut off by the French fleet, under Lewis d'Espagne, who guarded the coast, and prevented any English vessels putting in with supplies.

Whilst matters were in this situation, there arrived two legates from pope Clement VI. who had been lately raised to the papal dignity, charged with a commission to mediate between the contending parties. In this salutary business they laboured with such success, that conferences were held on the subject of a pacification, between deputies from each camp, when it was agreed, that the differences between the two crowns should be referred to the arbitration of the pope, as a private person, who was to give final sentence before Christmas of the ensuing year. In the mean time, a truce was concluded for three years, the articles of which were as follow.

I. That Vannes should be sequestered, till the expiration of the truce, in the hands of the two car-

dinals (legates), to be by them disposed of in such manner as they should think proper.

II. That the Flemings should be absolved from the censures which the late pope had, at the instance of the king of France, denounced against them.

III. That the places taken on both sides should remain in the hands of the present possessors, and the prisoners set at liberty on paying their ransoms.

IV. That the allies of both crowns should be included in this treaty; and that the two kings should exert their utmost endeavours to prevent hostilities in Guienne, France, and Brittany*.

These articles being ratified and confirmed, on the nineteenth of January, 1343, Edward in a short time after embarked for England, and, after a tedious and stormy passage of several weeks, he landed on the second day of March, at Weymouth, and from thence proceeded directly to London.

A parliament had been assembled at Westminster, about a week before the king's arrival, to consider of the late truce and proposed treaty; as also to deliberate on the state of the nation, and the means of securing the peace and tranquility of the kingdom. On this occasion the bishops, prelates, and barons assembled by themselves in the White Chamber, as did the knights of the shires and the representatives of the cities and boroughs in the Painted Chamber of the palace; and this is the first time that the Rolls make a clear distinction between the two houses as they are now constituted.

After having fully discussed the matters in question, it was the unanimous opinion of the assembly, that the truce was advantageous and honourable: and in an address to the king, they recommended a treaty of peace as a desirable object, provided one could be concluded on terms consistent with the dignity of the crown and the interest of the nation; but if unreasonable terms should be insisted upon by the French court, they declared themselves ready to exert their utmost endeavours to support the king's cause.

Edward's thoughts had for many years been so wholly engrossed by military affairs, that he had been able to find but little time to enquire into the grievances of his people. During this session, therefore, he desired the house to represent to him any hardships that the subject might have suffered during his absence. Whereupon the parliament set about making divers regulations, very beneficial to the people; all which the king confirmed with great cheerfulness, as he did also in the most solemn manner all the liberties contained in Magna Charta, declaring that he had as much at heart the ease and welfare of his people, as the rights and prerogatives of himself and his successors. Among the several acts passed in this parliament, one of the most important was the Statute of Provisors, that is, an act against those who brought provisions from the court of Rome for taking possession of benefices upon the death of the incumbents, in prejudice to the right of presentation vested in the patrons: for farther particulars in relation to this statute, and the abuse of the papal authority which gave rise to it, we shall refer the reader to our review of the State of Religion, Laws, &c. during the period now before us.

In consequence of the agreement brought about by the mediation of the two legates, before Nantes,

* Rymer's Fœdera, vol. v. p. 357, 367.

the kings of France and England were to have sent ambassadors, at Midsummer this year, to Avignon, where pope Clement VI. then resided; in order to begin a treaty of peace, under the arbitration of that pontiff; but the conferences for that purpose were now postponed till Michaelmas, on pretence of some infractions of the truce, by the partisans of France, for which Philip had neglected to give satisfaction, though applied to on that head: and when they were at last opened, they proved abortive, by Edward's commissioners insisting upon their master's claim to the crown of France being discussed previous to every other point, which so enraged Philip, that he declared Edward should never enjoy a foot of land in France, except those territories which he might hold in vassalage, in like manner as his predecessors had formerly done. The pope in vain endeavoured to persuade both parties to abate a little in their demands; their mutual inflexibility frustrated his good intentions, the treaty ended without effect, both kings breathing the most implacable rancour against each other, so that all hopes of terminating the war in an amicable manner seemed entirely vanished. We will now see what passed in Brittany, after the conclusion of the late truce.

Edward had hardly left the continent (to procure whose departure seems to have been the chief intent of Philip in consenting to a suspension of hostilities) when that monarch caused several of the friends and adherents of John de Montfort to be seized, pretending that they were not comprehended in the truce, and had them either put to death, or confined in loathsome dungeons. When the court of England sent to expostulate with him on this infraction of the truce, he laid all the blame on Charles de Blois; who, on his part, alleged that he was not accountable for any thing he might chuse to act against his competitor, as he himself was not included by name in the treaty.

Pursuant to the third article of the truce, the prisoners on both sides were to be set at liberty; nevertheless Philip, contrary to the faith of treaties, refused to grant to John de Montfort his freedom; and when the pope, as guarantee of the truce, sent remonstrances to the French king on that head, the latter affirmed, that he did not detain him a prisoner for any matters relating to the king of England, but for certain private and particular causes subsisting between himself and the count; an excuse that was very well known to have no foundation but in Philip's avarice and ambition, who refused to release Montfort unless he would deliver up to him Brest and Hennebon, and make a formal renunciation of his claim to the duchy of Brittany.

Not contented with these instances of perfidy, the faithless monarch rendered his character still more infamous, by his unjust and barbarous treatment of Oliver de Clifton, a nobleman of Brittany, who had constantly served him and Charles de Blois with an unimpeachable fidelity. This nobleman had been taken prisoner, together with Henry de Leon, by Edward, who agreed to exchange him for the lord Stafford, who had fallen into the hands

of the enemy: this preference given by Edward to Oliver over Henry de Leon was entirely owing to the intreaties of Aumary de Clifton, brother to the former, who had been all along attached to the party of Montfort; but, as evil minds are ever the most liable to suspicion, Philip conjectured that Oliver (to whom he had taken a dislike, on account of his brother's principles) must have some underhand engagements with the king of England; and full of this unjust prepossession, he ordered that nobleman to be imprisoned as soon as he returned to the continent, and, without any form of trial, he was beheaded at Paris, his body was exposed on a gibbet, his head sent to be affixed on one of the gates of Nantes, and his estates were confiscated to the crown.

A proceeding so contrary to the rules of common honour and humanity, raised such an indignation in the breasts of the Bretons, that they broke out into open rebellion: the baron de Loheac, a nobleman of great credit and influence in that country, threw off his allegiance to Philip; and the inhabitants of Vannes, excited by these examples, took up arms, drove the pope's garrison out of the town, and declared in favour of John de Montfort.

Tyrants, who consult only the present gratification of their thirst for arbitrary sway, are always blind to their real interests; and the effects of their ill-judged policy, which manifest themselves in the resentment of the people, instead of awakening them to a sense of their own wickedness and folly, serve only to render them more suspicious and bloody-minded: thus fared it with Philip, who knew not, or would not know, any other way of keeping those subject to him in their duty, but by force and terror; therefore, no sooner had he learned the spirited manner in which the Bretons had resented his cruel treatment of their noble countryman, than he gave orders for seizing the persons of Geoffrey Malestroit, with his son John and eight noblemen of Brittany; nor could their having all distinguished themselves in the service of Charles de Blois, exempt them from the same iniquitous punishment which had been inflicted upon Oliver de Clifton.

Whilst these things passed on the continent, the king of England, though seemingly taken up with domestic affairs, was continually meditating how he might best renew the war with France, as soon as the truce then subsisting should be expired. For the better accomplishing his designs, and to draw into his kingdom foreign lords, with whom he might negotiate in person, he bethought himself of an expedient which promised fair for success, as it fell in with the prevailing humour of the age: he caused proclamation to be made in all the cities of Europe, that, on the nineteenth of January, 1344, he would hold, at Windsor, a tournament, in imitation of the famous king Arthur's Round Table; at the same time safe-conducts were granted to knights of all countries without distinction, who should be inclinable to honour this festival with their presence*. While those sports lasted, he took occasion to enter into treaties with several lords, about the aids wherewith each could furnish him, according to their respective abilities†.

* To render these entertainments more solemn, and withal to free himself from the ceremonies to which the difference of rank and condition would have obliged him, he caused a circular hall of boards to be ran up at Windsor, two hundred feet in diameter. There he feasted all the knights at one table, which was called the Round Table, in memory of the great Arthur,

who, as it is pretended, instituted an order of knighthood by that name. The ensuing year he caused a more solid building to be erected, that he might continue the same diversions annually. Rymer's Fœdera. Froissart.

† The Collection of Public Acts are full of the treaties with private persons, managed either by himself or his agents.

Philip, who in state-policy and discernment yielded to no prince of his time, presently saw all the consequences to be feared from this general resort of the most accomplished military persons of the age to the English court, and to counteract, as much as in him lay, Edward's scheme, he caused a tournament likewise to be published in his dominions, on pretence of doing honour to the marriage of his second son, Philip, with Blanche, the posthumous daughter of Charles le Bel, his predecessor: he, moreover, issued a proclamation, permitting his subjects to cut down at will the timber in his forests, in order to build ships for the better opposing the English at sea.

This way of opposing his enemy was in itself just and honourable; but he soon after used other means that stained his character with indelible marks of infamy, and rendered him the object of universal hatred and detestation. Under pretence of these military shews, he decoyed to his court a great number of the lords of Brittany, whom he basely caused to be arrested and committed to prison, and several of them to be put to death, notwithstanding safe-conducts were issued to all persons without distinction.

In spite of all Philip's efforts to diminish the lustre of Edward's festival, it was celebrated with surprising magnificence, amidst a vast concourse of knights from all parts of Christendom: these were feasted for four days, and then the tournaments began, in the presence of the queen and all the ladies of the first quality, which inspired the combatants with the concurring motives of gallantry and glory, to signalize their prowess and address.

Edward was so incensed when he heard of the tragical fate of the lords of Brittany, that he was going to behead the prisoners of that country, of Philip's party, who were in his power; but, upon the remonstrances of Henry of Lancaster, he altered his resolution: however, he sent for Henry de Leon, one of the principal captives, and told him, with great emotion, that though the death of his countrymen, beheaded at Paris, was a sufficient cause to serve him and his fellow-prisoners in the same kind; yet he would not sully his fame by imitating so bad an example, or revenge himself on the innocent; but that he would, with God's assistance, severely punish the author of such unparalleled treachery and barbarity.

Nor did Edward confine himself to empty menaces; resolved to push the war with the utmost vigour, he ordered a commission to be drawn up, constituting the earl of Northampton his lieutenant-general in France as well as in Brittany; and, according to the custom of the age in such cases, commanded him to defy Philip de Valois, as a perjured truce-breaker and an usurper of the crown of France; and to declare war against him in his name, both by sea and land.

About the latter end of April, or beginning of May, he sent Henry of Lancaster, earl of Derby, to begin hostilities in Guienne, till he himself should be able to pass over to the continent, to carry on the war in person in that province. With this nobleman were sent Richard Fitz Alan, earl of Arundel, as joint-lieutenant; and also Lawrence Hastings, earl

of Pembroke, John de Vere earl of Oxford, the lord Stafford, sir Walter Manny, and others, together with three hundred knights and esquires, six hundred men at arms, and two thousand archers.

The earl of Derby landing at Bayonne, on the sixth day of June, directed his march towards Bergerac, on the Dordogne, where the French army lay encamped, under the command of Bernard, count de l'Isle Jourdain, assisted by the counts of Cominges, Perigord, and Valentinois, the viscounts of Cormain and Villemur, and several other Gascon noblemen. Several skirmishes passed between the English and French, while in this situation; in one of which the former entered with the enemy pell-mell into their entrenchments, and forced them to take refuge in the city, which the English instantly attacked; and as the place had no fortifications on the side of the river, capable of defence, the count stood only one assault, and, taking advantage of the night, retired to La Rirole, where he disposed of his troops in different fortresses; and the earl of Derby making himself master of the town, gave it up to be plundered*.

The English general having provided for the security of Bergerac, advanced to La Lude, which he quickly reduced, together with Beaumont, Montagret, Libourne, Auberauche, and several other castles; after which success he returned to Bergerac, but he was soon recalled from thence to the relief of Auberauche, which the count de l'Isle had invested, and assaulted with such fury that it was on the point of capitulation: the earl of Derby, however, came in time to save the place; and arriving near the enemy's camp in the night-time, sir Walter Manny proposed to beat up their camp while they were in full security. This advice was followed with such secrecy and success, that the English entered one quarter of the French camp, without meeting any resistance, and then fell on with such impetuosity that the general count de l'Isle, with the counts of Perigord and Valentinois, were taken prisoners in their tents, before they had time to recover from their surprize; and their men taking a panic at this sudden attack, were many of them cut in pieces, and the rest fled away with the utmost precipitation.

But while this quarter of the French camp was filled with rout and confusion, the other half of their army, under the command of the count de Cominges, took to their arms and drew up in order of battle, advancing against the English. The earl of Derby, though greatly inferior to the enemy in numbers, resolved to make one vigorous effort to complete the work he had so successfully begun, and, calling off his men from the pursuit, he led them up to the enemy, whom they attacked with incredible fury. They met with as warm a reception, the engagement became very bloody, and victory was a long time dubious; at length, the garrison of Auberauche, hearing the trumpets sound a charge on both sides, and descrying, by the help of the day-dawn, which now began to appear, the English ensigns, they made a sally, and falling on the rear of the French, decided the fortune of the battle. The enemy being totally defeated, with the loss of seven thousand slain, and twelve hundred

* History ought to record the generosity of this general, which remains without any imitation in our days: whilst the English were busy in plundering the town, a Welsh knight chanced to light upon the receiver's office, where he found such a quantity of money, that he thought himself obliged to acquaint his ge-

neral with it, imagining so great a booty belonged to him only; but the earl, with a noble magnanimity and a pleasant look, congratulated him on his good fortune, declaring that the prize, however great, belonged to him as a just reward for his vigilance and courage. Walsingham. Froissart.

taken prisoners, among whom were nine counts and viscounts, and upwards of three hundred knights and gentlemen of distinction: nor did the English gain this victory without paying a bloody tribute to the valour of their opponents. However, the force of the enemy in these parts being now entirely broken, the earl of Derby put his troops into winter-quarters, and, leaving the command to the earl of Pembroke, set sail for England in the month of October, to solicit a reinforcement.

Mean time Edward had called a parliament at Westminster, about Midsummer this year, to whom he complained, in the strongest terms, of the cruelty and injustice of the French monarch, who had so openly violated the truce: the assembly, perfectly satisfied of the truth of his allegations, exhorted him to pursue every vigorous measure, either to conclude a final treaty of peace, or terminate the war by a decisive battle: and, to strengthen his hands, the clergy granted him a tenth for three years; and the commons, three fifteenths of the commonalty of the land, and two tenths of the cities and boroughs*.

During the session of this parliament, Geoffrey de Harcourt, brother of the count of Harcourt, and himself a very considerable person, being lord of St. Sauveur le Vicomte, and several other towns of Normandy, having been banished from France, upon account of some jealousy conceived of him by king Philip, came over to England, and did homage to Edward for his confiscated lands in Normandy, who promised him, either to put him again in possession of his estate, or give him an equivalent in France or England: and from this time he supplied the place of his countryman, Robert d'Artois, in the English councils†.

About the same time, John de Montfort, after having suffered a severe imprisonment for near four years, in the castle of the Louvre, found means to make his escape in the disguise of a peasant, and coming over to England, where his countess and son now resided, did homage and swore fealty to Edward, as king of France, for the duchy of Brittany; after which he returned to that duchy, with the earls of Northampton and Oxford, and some other noblemen, and a considerable body of forces, by which he was enabled to take the field in the spring of the year 1345, and to reduce Dinan, and other fortresses on the sea-coast. This success encouraged him to invest Quimper Corentin, which had been lately taken by Charles de Blois, who had, with unparalleled inhumanity, ordered fourteen hundred of the inhabitants to be butchered in cold blood. Upon the appearance of the English forces, Charles immediately prepared to give them battle; but John de Montfort, thinking himself not sufficiently strong to hazard an engagement, left his competitor master of the field, and returned to Hennebont, where, on the sixteenth of September, he died of a fever.

Nevertheless, the earl of Northampton, being reinforced by the arrival of the earl of Derby from England, with eight thousand men at arms, made himself master of St. Basil, Roche, Meillant, Montsegur, Aiguillon, Chateau Segrais, in a word, of almost every place he thought proper to invest, except Blaye, which was so resolutely defended by William Rochechouart, and Guichard de l'Angle (afterwards knight of the Garter), that he was fain to abandon the enterprize. In the mean time Charles de Blois marching with a strong army to stop the progress of the English, both sides came to an engagement, near Morlaix, in which Charles was defeated: but the winter now approaching, the earls of Northampton and Derby, leaving the affairs of Brittany to the care of sir Thomas Dagworth, a gallant and experienced officer, they returned to England.

This year the Scots, at the instigation of the French king, made an inroad upon the borders of England; but were repulsed by Edward's troops in the northern counties, under the command of Edward Baliol, assisted by the young earl of Salisbury, who had been sent thither with six hundred men at arms and two thousand archers.

Edward, who was eager to signalize himself on the continent against the French king, now summoned his former allies to fulfil their engagements, particularly the duke of Brabant, with whom he had agreed to contract an affinity, by a match between Jane, the duke's eldest daughter and heiress, and his own son Edward, now in the fourteenth year of his age; nevertheless, by the artifices of the pope, who was entirely in the French interest, this alliance was broke off, under pretence of a too near degree of consanguinity between the young parties; and, indeed, the duke himself had by this time given plain indications that he was desirous to make his peace with Philip. At the same time, Lewis of Bavaria, the emperor, and his son Lewis, marquis of Brandenburg, having made exorbitant demands upon Edward, which the latter was unable or unwilling to perform, they likewise dropped his alliance.

But Edward sustained yet a greater loss by the death of Jacob Ardevelt, the demagogue of Ghent, which happened about this time. That burgher had proposed, by his influence, to engage the Flemings to depose their own count, and to chuse Edward, prince of Wales, for their sovereign, provided that the king of England would erect Flanders into a duchy in his favour. An offer of this kind could not but fail of being very pleasing to Edward, who, to carry this plan effectually into execution, had this year passed over to Sluys, to hold a conference with the deputies of the chief towns of Flanders on this subject‡. During a magnificent repast, which Edward gave on the occasion, Ardevelt proposed that they should insist upon their count's renouncing his alliance with Philip de Va-

* See Rot. Parl. 18 Ed. III. n. 5—10. In this parliament the king created Edward, his eldest son, prince of Wales, by investing him with a coronet and a ring of gold. This prince was then thirteen years old, and already began to give great hopes of what he would one day prove.

† In the course of this year the island of Madeira was first discovered by one Macham, an English mariner, who being obliged to quit his country on account of an illicit amour, took his mistress with him on board a ship, with which he put to sea; but being overtaken by a storm he was driven into this place, where his mistress dying, he left his ship, and made a

canoe, in which he got safe to the continent of Africa, and from thence travelled to Spain where he acquainted Pedro the Cruel, king of Arragon, with his discovery, which proved the means of a colony being settled in Madeira, the ensuing century.

‡ Leaving Lionel, his second son, guardian of the realm, he set sail from the port of Sandwich the third day of July, accompanied by the prince and a splendid train of nobility, with a strong body of forces on board a numerous fleet. Rymer. Froissart.

lois; or, in case he persisted in that connection, that they should transfer their allegiance to the prince of Wales, who would erect their country into a dukedom; and his father, who was a most powerful monarch, was both able and willing to protect them in such choice, and would, moreover, engage to render them the most flourishing commercial people in Europe.

So unexpected a proposal struck the deputies with astonishment; they were in no wise prepared to give an answer to a matter of so great importance, they desired therefore a month to consult their constituents, and take their sentiments thereupon. By the manner in which they spoke, however, Edward clearly perceived that Ardevelt had incurred their general hatred, wherefore he offered that burgher a guard of five hundred Welshmen, under the command of sir John Maltravers. The event proved that Edward had not been mistaken in his conjectures; for the deputies, on their return home, made such an unfavourable representation of Ardevelt's designs, that the populace (those of Ghent especially), who had so lately idolized him, now began to look upon him as a person who thought of nothing but aggrandizing himself and family, at the expence of the liberties of those who had taken him for their head. Gerard Denis, dean of the weavers, and some other burghers, who envied the wealth and popularity of the demagogue, and were moreover well affected to the cause of their count, resolved to make the most of this change in the people's disposition, to work Ardevelt's ruin. With this view they industriously spread the most disadvantageous reports to his prejudice; they charged him with embezzling the revenues of his country, and of having remitted vast sums to England, whither he was about to retire in order to enjoy unmolested the fruit of his ill-gotten riches. The giddy multitude eagerly swallowed the bait prepared for them, and now thirsted for the life of the man, for whom, a few weeks before, they would gladly have sacrificed their own. Ardevelt, on his return from Bruges, soon found the fatal effects of their resentment: the enraged populace surrounded his house, and, after having killed most of his Welsh guards, they

dragged him forth, and instantly sacrificed him to their resentment: this murder was followed by that of most of his relations and dependents.

This accident entirely overturned the plan which Edward had formed, and, in the first transports of his indignation, he vowed severe revenge against the perpetrators of this cruel deed: but the great towns of Flanders having sent deputies to clear themselves from all suspicion of being concerned in the assassination, and the citizens of Ghent representing it as the sudden effect of popular fury, he suffered policy to get the better of his wrath; and, before his departure, he renewed his treaty of alliance with them, and then returned to England.

Edward, by this time, found himself deserted by most of his German allies, and all prospect of attacking France by the side of Flanders entirely at an end; nevertheless, he suffered not his resolution to be weakened by all these untoward accidents, but determined to prosecute the war with fresh vigour, and the winter was spent in making the necessary preparations for that purpose. He issued orders to his military tenants in Ireland to furnish him two hundred men at arms and five hundred light-horse, and appointed the rendezvous of his fleet and forces at Portsmouth, on Midlent-sunday, 1346; but, by several accidents, they could not be assembled till the middle of May; and then he was prevented, by contrary winds, from executing his first design of landing in Guienne*.

John, duke of Normandy, eldest son of the king of France, had now entered that province, at the head of eighty thousand men, to stop the progress of the English, and complete the conquest thereof. After having retaken several places, he sat down before the castle of Aiguillon, situated on the conflux of the Gironne and Lot: this siege was very remarkable, as well for the vigorous assaults of the besiegers, who for a whole week stormed the town three times a day, as for the brave defence of the besieged, who received all those attacks with unparalleled resolution. Edward, informed of their situation, was extremely anxious to get over in person, and oppose the duke of Normandy's progress; but while he continued wind-bound at Portsmouth,

* He set sail the fourth of June, 1346; but was driven back again by a storm. His army consisted of four thousand men at arms, ten thousand archers, twelve thousand Welsh infantry, and six thousand Irish; besides a great number of the chief nobility, whose names may be seen in Froissart. Knyghton says he had sixteen hundred ships, great and small. On this occasion his cities and towns supplied him with certain numbers of well-armed men, who were to enter into the king's pay at their embarkation at Portsmouth. The quota furnished by each city was as follows. See Rymer's *Fœdera*, vol. v. p. 493.

	100	Men at arms, who, in those times, were on horseback and in armour, attended each by three or four men armed, on foot, so that they might amount to five hundred in all: and
LONDON	500	Armed Soldiers.
NORWICH	120	Foot Soldiers each
BRISTOL	60	
COVENTRY	40	
OXFORD		
Shrewsbury	30 each.	
HEREFORD		
St. Edmundsbury		
WINCHESTER		
SALISBURY	25	
EXETER		
Northampton		
Cambridge		
GLOUCESTER	20 each.	
WORCESTER		

Reading	20 each.	
CHICHESTER		
Bodmyn	15 each.	
St. Alban's		
WELLS	12 each.	
Launceston		
Leicester	10 each.	
Shaftsbury		
Baldock		
Huntingdon		
Ludlow		
Abingdon		
Bedford		
ROCHESTER		
Maidstone		
Barnstaple		
Honiton		

The rest of the towns named in the list, many of which are now very considerable (such as Froome, Taunton, Stafford, Warwick, Devizes, Birmingham, Bridgewater, Bradford, Dorchester, and others), were all rated below ten men each, and some of them so low as two men each. Note also, that Manchester, Liverpool, Lynn, Canterbury, York, Newcastle, Chester, Lincoln, Hull, (most of them then, as now, considerable places), are not mentioned at all; possibly many of those that were in-land might have compounded with the king in money, and the sea-ports in shipping and mariners. From the several quotas above exhibited, the reader will be enabled to form some conjecture of the comparative magnitude of the said cities and towns of that time, with their present condition. See Anderson on Commerce, vol. i.

Geoffrey de Harcourt, who attended him, persuaded him to alter the plan of his operations, and to make a descent upon Normandy, a plentiful country, which had been long exempted from the calamities of war, and whose inhabitants were particularly incensed against Philip, on account of his cruel and unjust treatment of several of their nobility, and by the grievous impositions he had laid on the people, by obliging them to buy their salt out of his magazines, at whatever price he chose to affix.

Edward, who relished this advice, hesitated not to comply with it; and, as soon as the wind proved fair, and the weather such as he could venture to take the sea without hazarding the loss of his ships, sailed from St. Helen's, and, after a passage of two days only, landed at La Hogue, where he was by no means expected*. As his troops had been long confined on shipboard, during the detention of the fleet by contrary winds, the king allowed them six days to refresh themselves, and then, dividing his army into three bodies, the main division of which was commanded by himself, and the other two by the earl of Warwick and Geoffrey de Harcourt, he began his march towards Valanges, in the Contentin; from whence he advanced to Coutan, which, without waiting for his investing it, surrendered at discretion. St. Lo, another fortified town, submitted, after a faint resistance: then, continuing his progress, he arrived before Caen, the capital of Lower Normandy, on the twenty-sixth day of July, 1346.

He found this place strongly provided for defence, under the care of Ralph, count of Eu, constable of France, and the count of Tancarville, chamberlain of Normandy, with the militia of the country; but all the opposition they could make, served only to increase the glory of Edward's arms, and prove a presage of his future more important victories. After alternate attacks and sallies, on the part of the besiegers and besieged, the English entered one day pell-mell into the place with the enemy, and, after a most bloody dispute, remained masters of the town: the constable and chamberlain, with one hundred knights, and one hundred and forty gentlemen, were taken prisoners, and the greatest part of their forces put to the sword: the city being sacked and plundered, yielded an immense booty, which, with all the prisoners of distinction, and three hundred of the wealthiest burghers, was put on board Edward's fleet, lying at the mouth of the Orne, and transported to England. The castle of Caen, however, still held out; but Edward, who would not waste time in besieging it, ordered his troops to march through the bishoprics of Lisieux and Evreux, where he took the towns Louvere and Lisieux, with a vast booty, and then directed his route towards Rouen, the capital of Normandy. On his way he was met by two cardinal legates, who earnestly intreated him to agree to a suspension of arms; but, regardless of their intreaties, he advanced to the banks of the Seine: here he found the bridges broken down, and Philip himself posted on the other side, with a numerous army.

In order to draw the French monarch from his advantageous situation, and, if possible, to provoke him to a battle, he wasted the country under his

eye; and, after laying the suburbs of Pont de l'Arche, Vernon, and Mulein in ashes, he advanced as far as Poissy, within six small leagues (or about fourteen English miles) of Paris; there finding the bridge also destroyed, he sent over some barks full of soldiers, who set fire to the palace of St. Germain, and to many fine villages in the neighbourhood. Philip, however, who had planned his measures with consummate wisdom, suffered not himself to be diverted from them by these artful outrages, but still marched in a line with the English army, hoping to inclose Edward between the Seine and the Oyse. Had the project succeeded, the English army would have been unavoidably ruined; but Edward, by a sudden countermarch, came back to Poissy, where he ordered the bridge that had been broken down to be repaired, and, passing the river in the face of the militia, which were routed by the earl of Northampton, he made himself master of Pontoise, while Philip returned to Paris, the inhabitants of which were terribly alarmed by the late successful inroads of the English.

To revive the drooping spirits of his subjects, Philip sent Edward a challenge to fight him on any of the four following days, provided he would forbear destroying the country in the mean time; but Edward replied, that in all his operations he would follow his own judgment; that he had been there for some days without being able to bring the French to a battle, which was what he earnestly desired; but that he would never be directed by his enemy as to the time and place of action. In the mean time he got into the Beauvoisis, and, after setting fire to the suburbs of Beauvais, he came to Arraines. Notwithstanding all his successes, Edward began now to dislike his own situation, and to apprehend he had advanced too far: he not only began to be distressed for want of provisions, but found himself in a manner shut up between the river Somme and the sea, and the French army, amounting to one hundred thousand men, at the head of which Philip was now advanced as far as Amiens. In this situation there was nothing left for him but to fight or repass the Somme; the former of these measures was big with certain ruin in his present position, and the latter appeared almost impracticable, the towns of Perquigny and Pont de Remy being too strongly fortified to be taken by storm, and all the bridges over the river broken down except those at Abbeville, which were so strongly guarded he could not hope to effect a passage till he came to Oysement.

In this dilemma, he gave orders for calling together all his prisoners, when liberty and a royal reward were offered to any one who would discover a place where the river Somme might be safely forded. Allured by the generous offers of the English monarch, a Norman peasant, by name Gobin Agace, stood forth, and promised, on the forfeit of his life, to conduct the army to a ford below Blanchetaque, where the stream was so shallow, at low water, as not to reach above a man's knees. The king then gave orders for decamping at midnight, and arrived about sun-rise the next morning at the place the peasant had pointed out, which Edward, upon reconnoitring, found perfectly to answer the description the man had given of it; but at the

* The first thing he did, after his landing, was to knight the prince of Wales, then but sixteen years and one month old,

together with several young lords, his companions and attendants.

same time that it was guarded by Godemar du Fay, a Burgundian knight, whom Philip, suspecting Edward's design, had detached at the head of twelve thousand men, to take post on the opposite banks, and dispute the passage of the English over the river.

Edward, who, in the hour of the greatest danger, was always master of his passions, and blessed with an amazing coolness and intrepidity, suffered not himself to be put from his purpose by this unexpected accident, but resolving to pass at all events, he ordered his troops to advance, and himself was the first who plunged into the river, with this expression, "Let them who love me, follow me." His men, animated by the presence and example of their sovereign, cast themselves into the flood with an intrepidity that seemed to bespeak a certain conquest. Persons the least acquainted with the nature of military operations, will readily conceive the great danger and difficulties which must have attended an attempt of this kind, made in the face of an enemy, who, to do them justice, behaved like men; but nothing was capable of stopping the English, who, having their beloved king for a witness of all their actions, defied all obstacles, and, after a bloody dispute, they obliged their enemies to abandon to them the important passage, for which they had so valiantly staked their lives, and the whole English army gained the opposite side of the river; but so critically was the passage effected, that the last of their men were going over when they were attacked by the van of Philip's army, under the command of the king of Bohemia and John de Hainault, but with little or no loss, only a few of the carriages left behind, and some of the waggons cut in pieces.

Nothing could equal the vexation of Philip, to find himself thus baffled of his revenge, after tracing his enemy for upwards of fifty leagues by the flaming ruins he every where left behind him; but it was in vain to repine, the tide was now flowing in, and rendered it impossible for the French army to pass. Philip found himself obliged to form the compass of Abbeville before he could pass the same river, on the other side of which he had the mortification to behold the English quietly marching off.

Edward, after making his army halt to return thanks to the divine Author of all victory, who had thus signally protected the English, turned off towards Cretoy, and the next day arrived at Cressy, a village that lies upon the river Maye, between Abbeville and Hesdim; here he encamped on an eminence, with a wood in his rear, and placed the baggage-waggons on the flanks, to secure them from the attacks of the enemy. Philip, in the mean time, had passed the Somme at Abbeville, and hearing where Edward was, resolved to attack him the next day, not doubting, from the superiority of his numbers, that he should make an easy conquest of his enemy, and at once terminate the dispute between them: but Providence, who delights in frustrating the vain glorious projects of man, had already decreed the event otherwise.

The king of England passed the night preceding the battle, in entertaining his chief officers in a magnificent manner in the royal pavilion, and behaved during the repast with unusual sprightliness and gaiety; as soon as the day appeared the next morning, he arose, and calling for the prince of Wales, they both together received the sacrament, with the most edifying piety: this performed, Edward gave orders for the army to be marshalled in order of battle, expecting the French would soon appear, to give him battle. His forces, consisting of only thirty thousand men, were drawn up in three lines or divisions.

The first division was commanded by the prince of Wales (now in his sixteenth year), who had under him the lord Thomas Beauchamp, earl of Warwick, and the lord John Vere, earl of Oxford, as field-marshal; with the lord John Chandois, Geoffrey Harcourt of Normandy, lord Ralph Stafford, lord John Delawar, lord Thomas Holland, lord Reginald Cobham, with several other lords, knights, and esquires, to the number of eight hundred men at arms, four thousand archers, and six thousand valiant Welshmen. The earl of Warwick and the lord John Chandois had especial orders from the king to have an eye upon the prince, and to keep near his person during the engagement.

The second line was commanded by the lord Richard Fitz Alan, earl of Arundel, and the lord William de Bohun, earl of Northampton, assisted by the lords Willoughby the elder, Ros, Basset of Sapcote, Multon, sir Lewis Tufton of Tockington*, and others, to the number of eight hundred men at arms, two thousand four hundred archers, and four thousand strong bill-men.

The third and last division was headed by the king himself, who had, as his aids de camp, John lord Mowbray, Roger lord Mortimer (grand-son of the famous earl of Marche, now restored to his family-estates), sir Thomas Dagworth, sir Richard Godelsborough, sir Richard Damory, sir Neil Loring, sir Hugh Hastings, sir John Butterel, and others, to the number of seven hundred men at arms, six thousand archers, and five thousand three hundred bill-men: this whole division amounting to twelve thousand men, and all three to thirty thousand complete†.

Edward had but just completed the marshalling of his army, when he received advice that Philip, who had begun his march from Abbeville at sunrise, with an army of one hundred and twenty thousand men, about four times the number of the English, was now within a league and a half of him. The king therefore rode from rank to rank, with a cheerful countenance, exhorting the soldiers to exert themselves for the honour of their country, the defence of the rights of their sovereign, and the preservation of their own lives and liberties: and, in order to inspire his officers with greater courage and alacrity, he knighted fifty young gentlemen at the head of their ranks, and to one of them in particular, sir John Beauchamp, he com-

* From whom the present earls of Thanet are lineally descended. Jo. Barnes, p. 334, 335.

† Rapin, and other French writers, inform us that Edward that day had artillery in his train, four of which being planted on a little hill, are said to have done great execution on the French army: but this fact seems liable to some unfavourable objections, the chief of which are, the improbability that Edward, in so long, so laborious, and so dangerous a march and retreat, could carry about with him an unwieldy train of ordnance; besides, the French, though much superior

in numbers and in their own country, and consequently furnished with much better opportunities of forwarding their carriages, had no artillery with them, though it is certain they were not unacquainted with the invention: add to this, that although the passage of the Somme is minutely described, and with unvarying circumstances, by all the historians, both French and English, who lived at that time; yet none of them make any mention of Edward's artillery there, though they might have been of much more use than his archers, with which he lined the banks of the river to cover his passage.

The
Battle of Cressy



To the R^t Hon^{ble} John
This Plate is most



Earl of Waldegrave
Humbly Inscribed.

mitted the noble charge of bearing the royal standard in the battle. He then gave orders for his cavalry to dismount, that the horses might be eased before the action; and his troops were allowed to refresh themselves with an heartening meal, after which they lay down, in their respective ranks, upon the grass, to rest themselves, but in such order, that upon the approach of the enemy, or the least signal given, they were ready to be under arms.

When the French army was come within about four miles of Cressy, Philip sent some of his officers to reconnoitre the position of the English; the former, upon their return, related to the king the admirable order and determined resolution which appeared throughout the enemy's army; and one of them, the lord Balche, esteemed as good a soldier as any Philip had, very justly observed to his master, that there was no danger of Edward's running away, and therefore advised, that, instead of beginning the fight that day, the troops should have a night's respite after their long march, and thus there might be leisure to form a more regular disposition of the army than could be done after fatigue, and in a hurry.

Philip perceived the wholesomeness of this advice, which indeed corresponded with his own sentiments; but, unfortunately for him, he had already drawn up his army, and given the signal to march: however, he sent orders to the several ranks to halt till they should receive farther instructions. But his commands were imperfectly obeyed, for his army being composed of numbers of princes and noblemen, each jealous of the honour which the other was to reap that day, and most of them strangers to military subordination, they vied in pressing forward to begin the attack: when orders, therefore, came from Philip for halting, which were obeyed by the van, the succeeding ranks continuing to move on with great impetuosity, each impelled the other forwards, till the whole became an enormous moving body, which was pushed on towards Cressy in such confusion that Philip found it utterly impossible to retard their motion until they came within sight of the English; then, indeed they made a stand of themselves, which gave him an opportunity to draw them up in some order, and, in imitation of the English, he divided them into three columns.

The first line conducted by John de Luxembourg, king of Bohemia, was composed of three thousand men at arms, twenty-nine thousand infantry, and fifteen thousand Genoese cross-bow men, under the command of Antonio Doria and Carolo Grimaldi, who were placed opposite to the English archers.

The second division, led by Charles, count of Alençon, consisted of four thousand men at arms, and twenty thousand infantry, advanced in a line with the first division.

Philip in person headed the third division, as a corps de reserve, amounting to twelve thousand men at arms, and fifty thousand foot.

These dispositions took up so much time, that it was near three in the afternoon before the French army was ready to engage, when Philip gave orders for the Genoese to begin the battle; but just as they were going to make the onset, a great and sudden shower of rain falling unexpectedly, the Genoese cross-bows were thereby rendered unserviceable, while those of the English archers, being secured by covers, were kept dry, so that the for-

mer were exposed the unactive marks of a shower of the English arrows, which galled them with so much fury that they fell back upon the second line, commanded by the duke of Alençon, which put that body into disorder. The prince of Wales, who observed the confusion this accident had produced, ordered some battalions of guards to advance and charge them in front, which was done so critically, and with so much fury, that both the first and second lines of the French were put into irretrievable disorder.

At length the count of Alençon, having, by opening his ranks, got rid of the flying Genoese, made a circuit with his cavalry, and fell upon the battalion of English archers in flank: the battle now became bloody and obstinate; the count of Alençon had with him the earls of Flanders and Blois, with the duke of Lorraine and the dauphin of Vienne, who, confident in their numbers and innate courage, maintained the action with such unbated vigour, that they forced their way through the column of English archers, though said to be forty feet deep, and advanced against the prince of Wales, who received the charge with such a determined resolution that the greatest part of his men were immediately put to the sword, and he saw himself in danger of being surrounded by the superior numbers of the enemy. The earls of Arundel and Northampton, seeing the danger of the prince, ordered a body of troops, under their command, to file off to his assistance: these fell upon the rear of the enemy, and gave the prince, who was engaged among the bravest squadrons of the French in front, some relief. But this very manœuvre had well nigh proved his ruin; for Philip, by this motion of the English, found himself at liberty to pour in three squadrons of French and German knights to his brother's (the duke of Alençon) assistance, so that the prince was attacked both in front and flank at the same time. In this emergency, the earl of Warwick dispatched a knight to acquaint Edward of the jeopardy in which his son then was, and to beseech him to come to his relief.

The messenger found the king coolly surveying the battle from a windmill, on an eminence where his division was drawn up; who, not appearing in the least moved with what was told him, only asked, if his son was still alive? and being answered that he was, and that he had performed feats of the most astonishing valour, he bid the messenger begone, and tell his generals from him, "That they should no more send for him while the prince was alive, he being determined that the honour of the day should be wholly his; and that he must now, if ever, win his spurs." This answer, which was delivered in the prince's hearing, seemed to recruit his drooping strength, and re-animate him with more than human courage: every one round him caught the glorious infection; they stood firm; courage and resolution made them more than a match for the continually increasing number of their enemies, who in vain endeavoured, by their impetuosity, to break the again compacted phalanx of the English, and, after a shocking carnage, in which princes, peers, generals, and common soldiers met with promiscuous death, the French began to give ground, and at length to disperse in confusion.

The two English divisions commanded by the younger Edward and the earls of Arundel and

Northampton, now joined together, and, lining both their wings with archers, advanced to attack the main body of the French army under Philip, who had been prevented, by the disorderly flight of the first division of his forces, from coming up in time to succour the squadrons that had attacked the archers: Philip, enraged to see his two bodies routed and dispersed, performed every thing that could be expected from his high birth, or reputation as a general, determined, if possible, to snatch the victory from the young hero before it was too late. The king of Bohemia, who, though blind, would be in the battle, causing his horse's bridle to be interlaced with those of two brave knights, rushed between them into the thickest of the fight, and having interchanged a few random strokes with young Edward, he was soon after parted from him, and, with his followers, fell in the confusion of the battle*.

Mean time Philip, after many fruitless attempts to repulse the English, rallied some of his nobles and men at arms, and threw himself into the midst of the enemy, in order to animate his troops by his example. Here, it must be confessed to his honour, that he gave signal proofs of an undaunted valour: it was not till after being twice unhorsed, and wounded in the neck and thigh, that he suffered himself to be led, though with extreme pain, out of the field by John of Hainault. The standard of France was then beaten down, and the whole French army dispersed, every one providing in the best manner he could for his own safety.

King Edward seeing the victory complete, by the striking of the French standard, came down from his station, and, taking his helmet from his head, ran up to the prince of Wales, whom he embraced in the most affectionate manner, in sight of the whole army, saying, "My gallant boy! Heaven grant you perseverance in the glorious cause you have begun! now, indeed, I may boast of my son! the noble manner in which you have acquitted yourself this day, shews you truly deserving of the crown you are born to wear." The prince, with down-cast eyes and glowing cheeks, that bespoke his modesty and humility, replied only by bending his knee to receive his father's blessing.

In this battle, which was fought on the twenty-sixth day of August, 1346, John, king of Bohemia, James, king of Majorca, Ralph, duke of Lorraine, the counts of Alençon, Flanders, Blois, Beaumont, Harcourt, Auxerre, Aumale, St. Pol, Sancerre, and many other French noblemen, twenty-four bannerets, twelve hundred knights, fifteen hundred gentlemen, four thousand men at arms, and thirty thousand infantry, are said to have been left dead on the field, while the loss of the English was, in comparison, hardly worth the mentioning.

The night of this glorious day was spent by Edward in rejoicings, but the king at the same time published orders throughout the camp, to thank God for the signal victory he had gained. Early the next morning he sent out a party of five hundred lances and two thousand archers, to pursue the runaways: this body met, in a fog, with the militia of Rouen and Beauvais, who were marching to join the French army, and who, being undisciplined troops, were quickly routed with great

slaughter. The archbishop of Rouen and the grand-prior of France coming up with another party, were also routed and slain, with two thousand of their followers. A much greater number were decoyed by a stratagem into the hands of the English, who, taking the standards of the enemy that lay scattered about the field of battle, planted them on a hill: this sight allured the French soldiers, who knew not which way they had wandered in the dark during the preceding night, to repair thither in great crowds, who were instantly hewed in pieces without mercy: no less than seven thousand men are said to have been in this manner either killed or wounded. But though Edward refused mercy to the living, he treated the dead with peculiar humanity; he sent back the body of John, king of Bohemia, to his family; he caused the field of battle to be consecrated, attended in person the funerals of the noblemen who had lost their lives in the action, and ordered the common soldiers to be interred with great decency.

Edward now applied himself to make the best advantage of the great success with which Heaven had blessed his arms. Nothing could be so convenient for his affairs as to have a strong port in that part of the French coast nearest to England, for landing his troops upon the continent; and Calais immediately presenting itself to his mind, as the most proper place of any for this purpose, he resolved to form the siege of it without loss of time. Accordingly he directed his march thither, and sat down before the place on the third of September, the siege of which was carried on both by land and sea, a fleet of seven hundred and thirty-eight vessels having been sent over from England, under the command of the earl of Huntingdon. But it is now time to attend the war in other quarters.

History can scarcely produce an instance of a year so glorious to any prince, as this proved to Edward of England, his arms being successful in all places. The retreat of the duke of Normandy from Guienne left the earl of Lancaster entire master of the field, and he did not fail to improve such a favourable opportunity: he took Mirabeau and Lussignan by assault; Taillebourg and St. Jean d'Angeli surrendered on the first summons, as did also the town of Poitiers; and the earl having thus dismantled all the frontiers on that side, carried his incursions to the banks of the Loire, and spread terror and desolation through all that part of the French dominions.

At the same time the war was renewed in Brittany: Charles de Blois invaded that province, at the head of a numerous army, and laid siege to the fortress of Roche de Riën; but the countess of Montfort, having received a reinforcement of English troops, under sir Thomas Dagworth, attacked him in the night, routed his army, and took himself prisoner. His wife, in whose right he laid claim to the duchy, urged by the present necessity, assumed the reins of government, and, being actuated by a martial spirit above her sex, proved a powerful rival to the countess of Montfort. In the mean time the queen of England shewed herself to be no ways inferior to these illustrious heroines, and, during the absence of her husband Edward, prepared fresh wreaths to adorn his temples.

* He wore three ostrich-feathers for his crest; and as he acted in the capacity of a volunteer, he took the motto *ICH BIEN*, which, in the German language, signifies "I serve."

This device young Edward assumed to himself, in memory of this glorious day; and it has been adopted by all the succeeding princes of Wales. Froissart. Carte. Smollett.

The Scots, who had now recalled their king David Bruce from France, took the opportunity of Edward's absence, and his being engaged in the French war, to enter England with an army of fifty thousand men, about the month of October in this year. David, whose professed design was to ravage this kingdom, which he imagined now defenceless by its chief military strength being employed in the wars abroad, marched forward till he came into the bishopric of Durham, levying the most oppressive contributions as he passed, and ravaging the whole country in a merciless manner; here he encamped within Bear Park, which lies within three miles of Durham.

Queen Philippa no sooner heard of the invasion, than she set out in person for the North, to encourage the lords of the Marches to do their duty; and in a little time, having raised a considerable army at York, she advanced towards the place where she heard the enemy had taken post. The English army marched in four bodies: the first was commanded by lord Henry Percy, who had under him the earl of Angus, the bishop of Durham, and several other noblemen of the North; the second division was headed by the archbishop of York, the bishop of Carlisle, and the lord Neville; the third by the bishop of Lincoln, the lord Mowbray, and sir Thomas Rokesby; and the fourth was commanded by Baliol in person, with whom were the archbishop of Canterbury, the lord Ross, and the sheriff of Northumberland. Most historians make the English army to consist of about six thousand men when they left York; but it is probable it was considerably increased before it reached Durham, by the coming in of the gentlemen of the county, with their vassals, who, it is to be supposed, were animated with the presence and assistance of the queen, as well as their sense of the common danger that threatened them.

The Scots had generally been unsuccessful in most of the pitched battles they had fought against the English, but never did they receive a more terrible overthrow than the present*. Their army was drawn up in three lines; one, consisting of French auxiliaries and the flower of their own nobility, was commanded by the Scottish king in person; another by Robert, great-steward of Scotland and the earl of Marche; and the third by the earls of Murray and Douglas†.

Both armies advanced to the engagement with great resolution, which was begun by the Genoese cross-bow men, in the battalion commanded by Robert the steward, but they quickly gave way before the more experienced and generally reputed invincible English archers; Robert pressed on furiously with his men at arms, to begin a close fight with the corps under the command of the lord Percy. The English archers, according to their usual custom, opened to the right and left, to let the enemy pass, and then closing again, galled them in flank, whilst they were engaged with the English infantry; nevertheless the Scots maintained the fight

with so much bravery that it was doubtful for a long time to which side victory would incline, and the English seemed rather to have the disadvantage; which being observed by Edward Baliol, he hastened to their assistance with his division, and this sudden reinforcement struck such a panic into the Scots, at the same time that it inspired the drooping English with fresh vigour, that the former began to give back in disorder: in vain did the high-steward use his utmost efforts to get his men to stand their ground; his exhortations were disregarded, his commands not obeyed, they refused to return to the charge, and he found himself, sore against his will, obliged to bring them off in the best manner he could. Baliol, who was not deficient in military capacity, did not waste time in pursuing the flying enemy, but, suddenly wheeling about, fell impetuously upon the flank of the battalion commanded by king David, who, possessed of all the high spirit of a hero, and jealous that the great honour transmitted to him by his illustrious father should not be tarnished in his hands, fought with extraordinary courage, and nothing but his personal valour prevented his corps, disheartened by the defeat of their van, from breaking their ranks and betaking themselves to an immediate flight. His nobles, blushing to see their gallant prince surrounded by his enemies, drew up in a circular form, and for a while made head against the English; but the conflict proved unequal, their men not seconding the efforts of their gallant leaders; not above eighty persons were left near the king, who, though himself wounded by an arrow, still continued fighting, and refused to surrender, unless to some person of suitable quality: upon this, one John Copland assuring him, now fainting through loss of blood, that he was a baron, David threw down his gauntlet, in token that he yielded himself his prisoner.

But the third division of the Scots, under the earls of Murray and Douglas, continued still entire; against them, therefore, the English now turned their whole force, and, unable to stand the furious shock, they were presently put to the rout. Most of this body were cut in pieces; the earl of Murray himself was slain, endeavouring to rally his men; and Douglas was now made prisoner. The English now remained masters of the field of battle; and this victory would have decided the fate of Scotland, had not the high-steward, who had kept his men together after they had given way before the English, retired in such excellent order as to give the other fugitives an opportunity to join him, and thereby formed a body, which the victors did not think proper to pursue.

In this battle, which was fought not far from Neville's Cross, near Durham, on the seventeenth of October, 1346, there were no less than fifteen, or, according to others, twenty-thousand Scots, slain; and, by the list of the killed and prisoners, there appeared to be scarcely a noble family in Scotland who did not share in the public calamity.

* The preceding day the Scots had lost five hundred of their best horse, under the command of sir William Douglas; who, advancing to reconnoitre the English, had suffered himself to be surprized and surrounded: an omen of the fate of the rest of his countrymen. Fordun. Stubbs. Knyghton.

† Froissart, who was the queen of England's countryman, has, upon this occasion, made her act a very heroic part; for, he tells us, that, just before the battle, she mounted her

horse, and, after animating the men with a very spirited speech, retired to some distance to behold the action, with a kind of reserved body, together with the archbishop of Canterbury. The English authors are, indeed, silent as to this particular; nevertheless, there is nothing improbable in the story; and, possibly, such a behaviour might at that time have a very good effect to encourage the soldiers.

As to the captive king of Scotland, the queen thought him too noble a prize to fall to the share of a private person, and accordingly sent a messenger with orders for Copland to bring her his prisoner. By the rules of war in those days, a soldier had an absolute right to the ransom of his prisoners; and John refused to deliver him, alleging "that he had taken no oath to the queen, that he owed allegiance only to the king, and would obey no other orders but his, on that subject." At the same time, apprehensive of the effect this answer might have with the queen to his disadvantage, he thought proper to consign the custody of David to his friend the lord Neville, and, taking shipping immediately for Calais, he communicated the whole transaction to the king, and excused his refusal so handsomely that he not only obtained his pardon, but was commended by Edward for his noble resolution, who created him a knight banneret, and sent him back with a reward of five hundred pounds a year in land, where he himself should chuse it, near his own dwelling. He was ordered, however, to deliver his prisoner according to the queen's commands, who gave him in custody to the sheriff of Yorkshire, to be conveyed to the Tower of London, where he was kept confined with Malcolm Fleming and about six-and-thirty other noble prisoners. After this the queen, leaving the care of the North to the lords Piercy and Neville, embarked for Calais, on the twenty-ninth of October, and repaired to the king's camp before that place, where she was received with all the respect and joy that her high rank, her great merit, and her signal success claimed from an affectionate husband, and a grateful people*.

The inhabitants of this place had now held out with invincible obstinacy for a considerable time: Edward had taken care to block up all avenues to the port by his fleet, so that the besieged began to be in great want of provisions; and the governor perceiving Edward's resolution to prosecute the siege with the utmost vigour, turned out (though it was then near the month of December) above seventeen hundred useless mouths out of the town, in order to enable his garrison to subsist the longer. Edward, on this occasion, shewed a great magnanimity of soul; for, compassionating the distressed condition of these helpless objects, he gave each of

them two English pence a-piece (about six pence of our present money) and allowed them to pass unmolested through his camp.

While Edward was keeping his Christmas in his camp before Calais, he was visited by the cardinals of Naples and Clermont, who came, on the part of the pope, as mediators between him and Philip: the king, out of respect to the pope, consented that a negotiation should be set on foot; and accordingly a commission was directed to the marquis of Juliers, the earls of Northampton and Warwick, and others, to open the conferences: but, as he well foresaw, they soon broke up without effecting any thing of moment.

All hopes of an accommodation being over, Philip, about the beginning of the year 1347, formed a design of relieving Calais; and, in concert with the crafty duke of Brabant, laid a scheme for bringing the Flemings over to his interest; in which, however, he miscarried. He then sent his son, the duke of Normandy, with a strong body of forces, to besiege Cassel, which lies between St. Omer's and Ypres; but the place being strongly reinforced from the English camp before Calais, John was obliged to raise the siege, and return back to Paris with his troops. To add to Philip's disappointment, he found his affairs in Brittany take a very unfavourable turn: Charles de Blois, the competitor with Montfort for the duchy of Brittany, had (as already observed) received a total defeat by sir Thomas Dagworth, Edward's general in those parts, who had sent him over prisoner to England.

By this time it was the month of June, and Philip, having received an express from the governor of Calais †, with advice of the desperate condition of the garrison, he summoned all his vassals and allies together, and soon assembled an army of one hundred and fifty thousand (Froissart says two hundred thousand) men, and, marching towards Calais, encamped, on the thirtieth of July, within a mile of the enemy, on Sangate Hill, between that place and Witsand; but finding that he could not, without manifest danger, attempt to force the English lines, and that Edward was too politic to be drawn into the open field, he employed two cardinals, who resided in the French camp as legates from the pope, to bring the king of England to terms, by offering him Guienne, the earl-

* On the eleventh of September, this year, a parliament was held by prince Lionel, guardian of the realm, in which letters were produced from the king, dated in his camp before Calais, giving the house an account of his glorious successes; and at the same time sent them a copy of an indenture found in the archives of Caen, and containing an agreement between Philip and the Normans for making an invasion and conquest of all England, under prince John, duke of Normandy, Philip's son. This had such an effect on the assembly, that the commons immediately granted an aid of two fifteenths and two tenths, to be levied in two years. Upon passing this supply, they were asked in Edward's name, if they had any petitions to prefer to the crown? thereupon, after desiring some little time to give in their answer, they presented certain remonstrances, four days afterwards; in consequence of which, an act was passed, declaring, "That merchants importing false money into the realm, should forfeit life and limb, and be punished as coiners: that all persons living within six miles of the sea, and contributing to the defence of the coast, should not be obliged by commissioners of array to furnish arms or other necessities of war for the king's service, as others did, not liable to the charge of the sea-coast: that the chief gentlemen of every county should be made justices of the peace; that all sheriffs should have a sufficient estate in the county for which they served; and that no grants of these offices should for the future be made, either for life, or to be holden in fee." After this, the commons moved,

"That all monks and friars alien should be sent out of the realm: that the pensions to cardinals, and to the abbot of Chenev, should be stopped: that all aliens promoted to livings, being in their own countries generally taylors, shoemakers, and chamberlains to cardinals, should be deprived thereof, and their livings given to poor English scholars." This parliament, after a session of nine days, concluded with a grant by the lords and military tenants of forty shillings on every knight's fee, as an aid due upon the knighting of the king's eldest son; of which a certificate was produced from the earls of Arundel and Northampton, and other English noblemen present when that honour was conferred on prince Edward by his father. Carte, and Brev. in Scacc. Term. Hill. 21 Ed. III.

* This letter, which was wrote in the most affecting terms, was intercepted by Edward, who immediately forwarded it to the French king, taking occasion to exhort him to march in all haste to the relief of his brave subjects in Calais, who endured such miseries on his account. The governor's letter was conceived in the following terms: "Know, dread sir, that your people in Calais have eaten their horses, dogs, and even rats; now nothing remains for them to live upon, unless they eat one another. Wherefore, great sir, if we have not speedy succour, the town is lost; and we are all resolved to sally forth, and die by our enemies swords, rather than to die within the walls by famine: and God grant you the power to render to us, or our heirs, according to our sufferings in your service." Froissart. Mezerai. Walsingham.

dom of Ponthieu, and, moreover, proposing a match between their children; all which Edward, who knew the town of Calais must fall into his hands, rejected. Philip, finding himself baffled in this project also, sent an herald to the English monarch, offering to decide their quarrel by a combat of six on each side; but Edward very wisely declined accepting this challenge, saying, "that he was not so mad as to stake upon the uncertain issue of a single combat, the successes he had gained by so many tedious and painful operations." At the same time he sent Philip word, that as soon as he had reduced the town of Calais, he would cheerfully meet him in the open field. A few days afterwards, Edward receiving a reinforcement of seventeen thousand men from England, the French king thought proper, after all his boastings, to break up his camp and retreat towards Picardy, and from thence to Amiens.

The besieged, now despairing of relief, desired at length to capitulate; accordingly, sir Walter Manny being sent to them by Edward, Vienne, the governor of the place, offered, in the name of the garrison, to surrender, provided they might be ensured of their lives and liberties. But Edward was so highly incensed at the long and obstinate resistance the townsmen of Calais had made, that he would not hearken to any other conditions than those of submitting at discretion; and it was with the greatest difficulty that Manny could divert him from the cruel resolution he taken of putting the whole garrison to the sword; a barbarity never to be excused or palliated, and which casts a deep shade over the many noble qualifications of this prince, since the behaviour of the Calaisians merited the esteem and approbation of every valiant and heroic mind. At length, however, Edward was persuaded to soften the severity of the fate he had prepared for these brave citizens and loyal subjects, and consented to spare the lives of the garrison, provided that six of the chief burghesses of the town should, as an atonement for their obstinacy and the hardships and calamities to which they had thereby exposed the English troops, come forth with the keys of the town and castle, with halters about their necks, and submit themselves to be disposed of at his pleasure.

The humane reader will be better able to conceive, than any pen can describe, the horror and confusion which seized upon the governor and council of Calais, when these hard conditions were reported to them: in vain did they, by the most humble submissions and affecting remonstrances, endeavour to deprecate the wrath of the victor; Edward continued inflexible: nay, to cut them off even from the last resource of wretchedness, hope, he declared that his intention was to make the six, whoever they were, pay the forfeit of their comrades resistance with their own lives. After some deliberation, it was resolved by these gallant people

rather to brave the general massacre that must follow upon their refusal, than devote six of their fellow-citizens to an ignominious death, for having nobly defended the cause of their sovereign, and gallantly disputed the most inestimable of all possessions, liberty: in this general dilemma, Eustace de St. Pierre, one of the principal inhabitants, stood forth, and voluntarily offered himself to be one of the six whose lives were to purchase those of the rest of the townsmen. Affected with this uncommon instance of magnanimity, three of his own relations declared themselves ready to share with him in this glorious sacrifice; two others were quickly found, who followed their example; and the number of victims being now complete, they marched out of the town, barefooted, in their shirts, with halters about their necks, and, when they came to the English camp, prostrated themselves at the feet of the king, who, still burning with resentment, gave orders to carry them to immediate execution, notwithstanding the earnest intreaties of the prince of Wales and several of the nobles about him. Their backs were already turned upon the remorseless master of their fate, and they were proceeding, mournful though determined, to meet their doom, when the queen, who was then big with child, rushing into the presence, cast herself at Edward's feet, which she bedewed with her tears, and, in all the melting eloquence of soft persuasion, besought him to spare the lives of those brave men, whose greatest crime was their attachment to their sovereign. Stern and unrelenting as Edward had till now appeared; he could not withstand the voice of conjugal affection; he recovered from his frantic cruelty, the man took again possession of his breast, and the Calaisians were dismissed, after being plentifully fed and more warmly cloathed, with six nobles given to each, by the queen's orders. Thus the important town of Calais, after near a year's siege, became subject to the dominion of the English*.

Edward, having taken all proper measures for the security of the place, turned out all the inhabitants, and peopled it with English, to many of whom he granted lands and houses in reward for their services; and having given directions for building a fort at Risbank, to secure the harbour, he set sail, with the queen and prince for England, and, after a very stormy passage, in which several of his ships were lost, and himself in great danger, he landed, on Friday, the twelfth of October, at Sandwich, from whence he immediately proceeded to London, where he was received with almost divine honours by his subjects; whom, in return, he entertained with a magnificent tournament, to which he invited all his prisoners (among whom he had many illustrious personages besides the king of Scotland, Charles de Blois, and the constable of France) to bear a share; in a word, the whole winter this year,

* It surrendered on the fourth of August, 1347.

King Edward's fleet lying before the town and port of Calais, consisted of seven hundred and thirty-eight English ships, from our several ports, carrying fourteen thousand nine hundred and fifty-six mariners, being about twenty men to each ship, upon an average, each of which had four pence per day for their pay, which is about twelve pence of our modern money. There came fifteen ships and four hundred and fifty-nine mariners from Bayonne, in Guienne; seven ships and one hundred and eighty-four men, from Spain; one ship and twenty-five men, from Ireland; fourteen ships and one hundred and thirty-three men, from Flanders; and one ship and twenty-four

men, from Guelderland: in all, thirty-eight ships, and eight hundred and five mariners, from foreign parts. The total amount of ships and men was, seven hundred and seventy-six ships, and fifteen thousand seven hundred and sixty-one mariners. The king's own ships (for some, it seems, were properly called his own) were twenty-five, and the number of mariners only four hundred and nineteen, or about seventeen men per ship. On this occasion we may observe, that the English navy at this time, and for about two hundred years after, was in the nature of a Naval Militia, every port being obliged to sent out its quota of ships and mariners, in proportion to its trade and abilities. Anderson's Hist. of Commerce, vol. i. p. 177.

after the king's return, was spent in feasting and rejoicings, and Edward appeared as amiable in peace, as he had shewn himself terrible in war*.

To add still a fresh lustre to his glory, ambassadors from Germany† arrived in the beginning of the next year, with offers of the imperial dignity (Lewis of Bavaria, the emperor, dying about three days before Edward's return to England.) This tempting offer, however, he refused to accept, as it would have been utterly incompatible with his scheme upon France, and might possibly have involved him, not only in a quarrel with the pope, who supported the claim of Charles IV. he likewise considered how much the acceptance of this dignity, at a like juncture, had cost Richard, brother of Henry III. and therefore politicly declined the honour intended him.

It is now time to take a short view of the English affairs in Scotland during the course of this year. Edward Baliol had entered that kingdom with twenty thousand men, by the way of Carlisle, and wasted the counties of Galloway and Carrick; and the lord Talbot, with another strong body of forces, had made an irruption on the side of Berwick, and had ravaged Lothian and Clydsdale, without opposition. The Scots, upon these successes, and having, the year before, lost their sovereign, David Bruce, who was a prisoner in England, acknowledged Baliol for their king; and the two armies joined, and advanced from the firth of Forth towards Perth, in order to reduce such of the Brucean party as still held out; but they were stopped on their march by news of a truce, which had been concluded in France, after the taking of Calais, which was to continue to the ninth of July, 1348, and in which the Scots had been comprized; hereupon the troops were disbanded: but the Brucean party, who were very strong in that kingdom, having ineffectually tampered with the English court for the ransom of David Bruce, they were so offended at the disappointment they met with in that prospect, that they omitted no opportunity of ravaging and plundering the English Marches.

On the fourteenth of January, 1348, Edward assembled a parliament at Westminster, to ask their advice concerning his affair in France, and to demand a supply for carrying on the war in that country after the late short truce should be expired; as also to provide for the king's peace in the kingdom. The assembly declined giving their opinion or advice on matters of war, the consideration of which properly belonged to the lords and great men of the king's council; but at the same time expressed their readiness to consent to whatever they should determine. As to the second point, their opinion was, "That there should be six persons chosen in every county, viz. two of the principal persons in such county, two knights, and two men of the law, as need should be; and they to be invested with a power and commission out of the Chancery, to hear and determine all things concerning the peace." At the same time some wholesome regulations were made, "for encouraging commerce; restraining the evil of adulterated money;

referring the method of assessment according to the value of lands, which was not properly ascertained; for punishing officers and judges for bribery and corruption; and for protecting the subject from the oppression of the nobles, who afforded shelter to robbers within their franchises, and obstructed the administration of justice‡."

The great preparations which Philip of France made in the beginning of this year, seemed to threaten an invasion of England, and gave Edward a plausible pretext to renew his demand for a subsidy, which the parliament had artfully evaded complying with in the preceding session: another meeting of the estates was therefore called on the thirty-first of March. Accordingly they now voted three fifteenths for the counties, and as many tenths for the boroughs; but this aid was clogged with several conditions that were far from being agreeable to the king, who thought that his great successes, and the honour and advantages accruing to his subjects thereby, might challenge their most unbounded liberality. Among other restrictions insisted on by the commons, were the following: "First, that the duty of forty shillings on each sack of wool should cease in three years: second, that no tallage, impost, or loan should be levied without the assent of the commons in parliament: third, that the king should repay the wool he had borrowed: fourth, that the aid to the marriage of his eldest daughter should be suspended during the exaction of this subsidy, a certain part whereof was not to be raised in case of a peace or long truce with France. The whole concluded with a request that the Great Charter should be observed; and that all men might enjoy their purlieus, which were certain spaces assigned them upon the verges of the forests, according to the perambulations made in the reign of the first Edward§." This business over, an end was put to the session of the parliament, and Edward prepared for another expedition into France, which, however, was prevented by a prolongation of the truce§.

This suspension of hostilities did not, however, restrain the French from forming enterprizes inconsistent with the faith of an armistice, and abusing the freedom of communication which was opened thereby, to the debauching the fidelity of the king of England's servants, as will appear by the following story, which we shall give as it is to be found in the French historian, Froissart.

Edward, after he had made himself master of Calais, had entrusted the command of the castle to a Lombard gentleman, one Emerie, or Aimery de Pavia, of whose abilities as to personal courage and military skill he had made several trials, but in whose principles he seems to have suffered himself to be greatly mistaken. This man having been bribed by Philip, with a promise of twenty thousand crowns of gold, if he would betray the place into the hands of the French, had agreed with Geoffrey de Charny, governor of St. Omer's, to let him, with a certain number of French knights, and men at arms, in at a proper gate, on a night appointed, which was to be the thirty-first of December (in this year); and proper measures

* In this year Edward built, at his palace of Westminster, the fine chapel of St. Stephen, being the room wherein the assembly of the house of commons is now held. Rymer's Fœd. vol. v. p. 631.

† Namely, the archbishop of Mentz, Rodolph and Rupert, counts palatine of the Rhine and dukes of Bavaria, the mar-

quis of Brandenburg, and the dukes of Upper and Lower Saxony. Rymer, vol. v. p. 622.

‡ Rot. Parl. 22 Ed. III. p. 11. m. 9. dorf.

§ Rot. Fin. 22 Ed. III. m. 12. and 23 Ed. III. m. 10.

§ Rymer, vol. v. p. 636.

were accordingly taken on both sides to insure success to this traiterous design. It happened, however, that Aimery's secretary, who was an Englishman, and had lain under some personal obligation to Edward, got intelligence, from papers or otherwise, of the whole scheme; upon which he lost not a moment in giving the king of England information thereof. Edward, with great coolness and deliberation, sent for the governor to come over to him in London, on pretence of giving him certain orders, which he did not chuse to trust to the common methods of conveyance. Aimery, without the least suspicion, obeyed the mandate: when he came into the royal presence, he was transfixed with astonishment; but when he expected nothing less than instant death, Edward contented himself with making him some reproaches on his infidelity, and concluded with giving his royal word to pardon him, on condition that he would turn the contrivance to the destruction of the enemy. The Italian, happy to be quit on such easy terms, promised every thing demanded of him; and Edward, who on this occasion shewed a consummate knowledge of what the human heart is capable of, when once fallen into a state of depravity, bound the double traitor unalterably to his interest by commanding him to accept of the money offered him by Philip's agents, and actually to admit de Charny at the time appointed, and so dismissed him.

In the mean time, the king of England, accompanied by the prince of Wales, with sir Walter Manny and three hundred men at arms and six hundred archers, crossed secretly over from Dover, and contriving to come into the port of Calais by night (which Aimery had properly secured for that purpose), they got so privately into the castle, a day or two before Charny was to arrive, that no body in the town knew any thing of their being there. The night and hour appointed being come, the money was punctually paid to Aimery, who admitted a French officer, with a detachment of eight hundred men, in at the postern, to take possession of the castle, while Charny marched into the neighbourhood, at the head of twenty thousand men, to support the scheme. No sooner had the above advanced party of the French entered the castle, than Edward with his followers rushed out upon them, and, in the confusion in which they were, at this unlooked-for attack, easily made them all prisoners. All this time Charny was waiting with impatience for the signal of his people being in possession of the castle, that he might enter the town in triumph; but not seeing it so soon as he expected, he advanced to one of the gates of the town, but was quickly apprized of the situation of affairs by a sally of the English, under the banner of sir Walter Manny (in whose troops the king of England and his son served only as volunteers), who fell upon the French with incredible fury. Charny, though surprized, was not disconcerted, but, drawing up his men in the form of a battalion, maintained the fight till break of day, when, finding his retreat cut off by another detachment, and the English continually reinforced by fresh parties from the town, he surrendered at discretion, and being conducted into Calais, was magnificently entertained by Edward, who could not, however, forbear reproach-

ing Charny with the infamous means he had used to take from him by treachery a place that had cost him so dear, and that he had fairly won by his arms.

During the conflict without the town, the preceding night, the king, who, as we have already observed, fought as a private person, taking notice of a French gentleman, called Eustace de Ribau-mont, who exerted himself with an uncommon courage, he singled him out as a person worthy to grace his arms, and a single combat ensued, in which the knight gave him such proofs of his valour and address as had well nigh proved fatal to his opponent: twice was Edward beaten to the ground by the furious and well directed strokes of his antagonist, and as often did he recover himself, and it remained a long while doubtful in whose honour the contest would end: at length the brave Ribau-mont, finding himself alone, and that the rest of his countrymen had taken to flight, delivered himself prisoner to his royal adversary, though without knowing him to be such, till Edward, at the entertainment he made for the prisoners in the town, discovered to them, that he and his son had been in the action; and took that opportunity of declaring Ribau-mont the bravest knight he had ever encountered, adjudging him the prize of chivalry above all the knights of his court; and, as a farther token of his esteem, gave him a string of pearls, taken from his own head, which Eustace wore all the rest of his life. As for Aimery, he did not think him, after his double treachery (for which the French, who took him prisoner the next year at St. Omer's, put him to death), a fit person to entrust any longer with the custody of so important a place; and made sir John Beauchamp* governor of Calais. He then returned to England, with the prince his son and sir Walter Manny, whom he liberally rewarded, together with all those who had distinguished themselves in this expedition†.

The attempt upon Calais failing, contrary to the expectation of the French, Philip disowned the authors. As Edward was not ready to renew the war, he was contented with that slight satisfaction, and suffered the truce still to subsist, notwithstanding the just cause Philip had given him to break it.

The king proposed, at his return, to hold a parliament which he had summoned to meet on the nineteenth of January, 1349; but as the plague, which had, at the latter end of the past summer, broke out in the West of England, had now reached London, a prorogation was thought necessary, nor was any parliament held, or any court of justice open, for two years after; for so long this dreadful scourge lasted, and with such unremitting fury, that there hardly remained the tenth part of the people alive in most places. In the first six months of this year, no less than fifty-seven thousand persons are said to have died of it in London and Norwich; and the church-yards not being sufficient for the burial of the dead, sir Walter Manny purchased thirteen acres of ground belonging to St. Bartholomew's hospital, in Smith-field, to serve as a place of interment for those who perished by this dreadful distemper; and when it ceased, he erected on the same spot a convent of Carthusians, now known by the name of the

* His commission bears date at Westminster, January 1, 1349. Rymer, vol. v. p. 655.

† Froissart, lib. i. cap. 153. 154.

Charter-house. This mortality spreading over most part of Europe, created a general inactivity this year, except with the Scots, who could not let so fair an opportunity of distressing the English escape them. They had hitherto escaped the plague*, but making an inroad upon the English borders, they caught the infection, of which no less than five thousand of them died, and the rest returned home to carry the seeds of pestilence amongst their countrymen.

This year the government of Poictou was, by Edward, conferred upon the earl of Lancaster, as also a grant, for him and his heirs, of the castle, town, and estate of Bergerac, which place he had reduced three years before, when he was earl of Derby, during the life-time of his father†. Towards the end of the year a severe prohibition was published against all persons, subjects of England, who should attempt to leave the kingdom, on account of the plague, with money or effects.

Mr. Ashmole fixes the institution of the order of the Garter on the twenty-third of April, this year, being the festival of St. George‡; but, as Dr. Brady justly observes, it is not to be imagined that, in the then melancholy situation of the country, through the raging of the plague, there could be any time found for pleasureable amusements, or magnificent shews||; we must therefore suppose it to be of later date, and most probably a year or two after the ceasing of the pestilence. However that might be, the vacancy in this year in political events, may not be disagreeably filled up with an account of the original institution of this order, which does so much honour to Edward's memory.

The king had always entertained a great affection for the castle of Windsor, as the place of his birth; he had for some time been beautifying and adorning it with magnificent buildings and fortifications; he had rebuilt the chapel, which he dedicated to the Virgin Mary, St. George, and St. Edward the Confessor; and he now founded a military order in honour of St. George, the patron of England.

A garter of blue velvet, with the inscription, HONI · SOIT · QUI · MAL · Y · PENSE · “shame be to him who evil thinks,” was the symbol of union and concord chosen for this noble fraternity, which, from hence was called the Order of the Garter. The original number of knights were twenty-six, including the sovereign and the prince of Wales; and so judicious an œconomist was Edward, that, according to the first rules of the order, all the habits of the knights were to consist of English wool and manufacture, without any foreign luxury being admitted.

Historians are greatly divided about the origin of the symbol, as well as the motto, of the order: some affirm that Edward pitched upon the Garter, because in the battle of Cressy he had given Garter for the word; or, that on that day he had ordered his garter to be fixed to the end of a lance for a signal of battle; others pretend that Edward only revived and regulated an order of knighthood instituted by Richard I. at the siege of Acon, in Palestine, when, being resolved to storm the town, he ordered the soldiers to tie blue garters about

their legs, the better to be distinguished during the assault: this is Camden's conjecture. But the most prevailing opinion is, that this circumstance took its rise from an affair of gallantry: we are told, that the countess of Salisbury, who was generally thought to be Edward's mistress, having dropped her garter at a public ball at court, the king picked it up, which being perceived by some of the courtiers, they could not forbear smiling and whispering to each other, upon which Edward immediately tying it round his own leg, exclaimed in a jocular manner, “Honi soit qui mal y pense!” and that the order of the Garter was instituted in memory of this event. This circumstance, however, seems by far too ludicrous for the foundation of a military order, and by so renowned a warrior and wise a prince as was the third Edward; we shall, therefore, for ourselves, subscribe to the opinion of those (among whom is the ingenious Mr. Guthrie) who, with a greater appearance of reason, deduce the origin of this institution from the celebrated feast of king Arthur's Round Table, which as we have already observed, had been lately renewed by Edward§. “The figure of this table (says the last mentioned author¶) was round, to take away all contention about pre-eminence of place, and the king sat at it with his knights, in token of amity and brotherhood. This practice continued from the eighteenth to the twenty-third or twenty-fourth year of Edward, when, it is not absurd to suppose that, in order to distinguish his own knights from those of others, particularly of the Round Table instituted at that time by Philip de Valois, in opposition to the king of England, this latter bethought himself of some particular device to be by them worn; and none so proper as an emblem of that kind of brotherly love which ought to unite fellows at arms sitting round a social table. This naturally might suggest the device of a fillet, or garter (which admits of a circular form); and its colour, azure (or blue), has ever been the peculiar emblem of fidelity and friendship. The motto thereon transcribed is extremely well calculated for the occasion, since no evil thought ought to arise, nor dark designs be harboured, at a table, or among a society, sacred to congenial harmony and brotherhood.” To give this his conjecture a greater air of probability, he observes, “that Philip having, under pretence of holding his feast of the Round Table, seized some of the lords of Montfort's party, and instantly put them to death, in open violation of the laws of hospitality, Edward, by his motto, intended not only to convey the assurance of good faith and hospitality towards his own knights, but at the same time to pass a severe but just sarcasm upon the inhospitality and treachery of his rival.”

Upon the whole, it must be confessed, that all these are but vague conjectures, without any degree of proof; nor can we assign any plausible reason why the Garter is worn on the left rather than the right leg; but this is certain, that great prince's design was to engage the present and future knights to distinguish themselves by their courage and virtue; and whatever degenerations may have happened in this respect since its institution, it has

* It was observed, that scarce any of the Irish, or other people inhabiting mountainous, were afflicted with this distemper.

† Rymer, vol. v. p. 668, 670.

‡ Ashmole's Hist. of the Garter. p. 185.

|| Brady's Hist. of Eng. p. 247.

§ See page 571, of this History.

¶ Guth. Hist. Eng. vol. ii. p. 123.

never deviated as to the number, which, as before observed, is twenty-six, including the sovereign of the order, who is always the person who wears the crown of England: the kings and other sovereign princes who have been, and still are, desirous of being admitted into this most noble order, is a clear evidence of its great repute throughout all Europe. We imagine the curious reader will not be displeased to see the names of the first members (commonly called the founders) of this illustrious order.

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| 1. EDWARD III. king of England, Sovereign of the Order*. | 2. EDWARD (his son), prince of Wales. |
| 3. Henry (his cousin) earl, and afterwards duke of Lancaster. | 4. Thomas Beauchamp, earl of Warwick. |
| 5. John de Greilly, capital of Buche†. | 6. Ralph, earl of Stafford. |
| 7. William Montacute (or Montague) earl of Salisbury. | 8. Roger, lord Mortimer‡. |
| 9. John, lord Lisle. | 10. Bartholomew, lord Burghersh (alias Burwash). |
| 11. John, lord Beauchamp. | 12. John, lord Mohun§. |
| 13. Hugh, lord Courtney§. | 14. Thomas, lord Holland¶. |
| 15. John, lord Grey. | 16. Sir Richard Fitz Symon. |
| 17. Sir Miles Stapleton. | 18. Sir Thomas Wale††. |
| 19. Sir Hugh Wrottesly**. | 20. Sir Nele Loring. |
| 21. Lord John Chandois. | 22. Lord James Audley. |
| 23. Sir Otho Holland. | 24. Sir Henry Eam, of Brabant. |
| 25. Sir Sanchod'Ambrici-court. | 26. Sir Walter Paveley. |

The king, with the twenty-five knights he had chosen for his companions, went, in gowns of russet, and mantles of fine blue woollen cloth, with the rest of the habit of the order, in a solemn procession, bare-headed, to St. George's chapel, to hear mass, which was said by the bishop of Winchester, prelate of the order; and when divine service was over, returned in like manner to a sumptuous entertainment, at which they sat in the

same regular manner as is still observed. Martial sports of tiltings and tournaments were exhibited at this solemnity, at which David Bruce, with other persons of quality, as well Scots as French, were permitted to assist‡‡.

The year 1350 was ushered in by a negociation, at Avignon first, and then at Boulogne, between the French and English commissioners, for settling a final peace; but the conferences were soon broken up, by the deaths of the king and queen of France. Philip de Valois, in the beginning of his reign, had acquired the name of Fortunate, which, however, he did not carry to his grave: not that he was wanting either in military or political abilities; but these were obliged to give way before the superior genius and success of Edward. He was succeeded on the throne of France by his son John, duke of Normandy; a prince possessed of many excellent virtues, but those rather of a private than a public nature: with a heart full of sentiments of honour, and an unalterable regard to good faith and sincerity, he had an head altogether destitute of that sagacity and penetration, which the situation of his affairs required; and though he was, perhaps, the most virtuous man in his kingdom, he was of all others the most improper to have the government of it.

Notwithstanding that the terrible mortality which still raged in all parts of Europe, seemed to give little encouragement for its princes to assemble forces to make war upon each other, yet hostilities still went on in Guienne, where the two female competitors for the Brittany succession prosecuted their animosities with unabated fury. The earl of Lancaster had been sent over thither towards the latter end of the preceding year, to provide for the safety of the province; and in the beginning of this he took the field with a considerable army, reduced above forty towns and castles, wasted the enemy's country as far as Toulouse, and, having burnt the suburbs of that city, upon the French declining to come to an engagement, returned without opposition to Bourdeaux. This expedition was quickly followed by a truce, which was consented to by the earl for the limited time of his command: this prevented Edward from taking the field in person; though private animosities still continued between the two parties of Montfort and Charles de Blois, which occasioned several rencounters, in one of which the brave sir Thomas Dagworth, who commanded the English auxiliaries in the service of the countess of Monfort, was unfortunately slain.

About Midsummer, Edward received petitions from sundry of his English merchants, both at home and abroad, complaining that, contrary to the faith

* Who himself first took this habit, in the chapel of St. George, from the hands of William Edington, bishop of Winchester, which bishop, by statute, is prelate of the order; and then he proceeded to give the habit to the other twenty-five knights companions, in order as above. Ashmole's Hist. of the Garter. Jos. Barnes, p. 596, 597, &c.

† A great lordship in Aquitaine, the governor whereof is styled Captal, and the county itself is called Captulat de Buche, or Busch; the chief town whereof, called La Teste de Busch, is about seven leagues to the west of Bourdeaux. This nobleman was so warmly attached to the English service, that being afterwards taken prisoner by the French, he chose rather to die in captivity than to swear never more to bear arms for England.

‡ Grandson to the famous earl of Marche, who, five years after his grand-father's execution, obtained a revocation of the judgment against him, and thereupon was restored in blood, and to all his said grand-father's lands, honours, and possessions, as a reward for his great military merit and other noble

qualifications, which also were, by his sovereign, thought sufficient to entitle him to a place in this noble order.

§ A constant attendant upon the Black Prince, in all his wars.

§ Son of Hugh Courtney, earl of Devonshire, from whom the present lord viscount Courtney is descended.

¶ Of Holland, in Lancashire, who, about 23 Edw. III. was married to the beauty of England, Joan, sister to the earl of Kent, commonly known by the name of the Fair Maid of Kent.

†† A knight of great worth and prowess, who, by his early valour, merited so high a rank; but by a premature death, which happened within three years after his institution, left his stall vacant the first of all these founders.

** Of Wriothesly, in the county of Stafford, from whom, in a direct line, are descended the Wriothesleys, baronets, of the aforesaid place and county.

‡‡ Ashmole's Hist. of the Garter. Barnes. Walsingham.

of treaties, the Spaniards (whom the French had found means to draw into their interest, had of late greatly interrupted the English commerce and navigation, by infesting the coasts of England, and making prizes of all vessels that came in their way, and even burnt a fleet of English merchant-ships laden with wines, and lying in the harbour of Sluys. Edward, though at this time in the zenith of his glory, did not think any expedition that tended to the good of his subjects, unworthy his hazarding his reputation or safety in, promised the complainants that he would take ample vengeance on these lawless invaders of their rights and properties; and he proved as good as his word. His marine was at this time upon so good a footing, that he did not doubt of being able to encounter the enemy with advantage: taking with him the prince of Wales, the earls of Warwick, Northampton, and Salisbury, with others of his officers, in whose valour and conduct he knew he could best confide, he embarked at Sandwich, about the middle of August, and went in quest of the enemy. After cruising some days, he espied the Spanish fleet, consisting of forty ships, under the command of Charles de la Cerda (governor of the Boulonnois, and afterwards constable of France), stretching over for the English coast. Edward, ordering his ships to tack about, stood in between them and the shore; and the next morning, being the twenty-ninth of August, an engagement ensued between Winchelsea and Rye; and, notwithstanding the Spaniards had a great advantage in the largeness of their ships (though not in their numbers, Edward's fleet consisting of fifty sail), they were soon obliged to make off, leaving twenty-four of their largest ships in the hands of the English. Edward now resolved to carry the war to their own doors, and therefore sent orders to the magistrates of Bayonne, the ancient enemies of the Biscayners, from whose ports this armament had been fitted out, to fall upon and take their ships in the Bay of Biscay, and in all other places where they should meet with them. The Spaniards, humbled by their late loss, and by the danger of still greater that now threatened them, sued for a truce of twenty years, which the king, who had the extension of the commerce of his people more at heart than his own private interest, readily consented to, notwithstanding that the merchants had actually agreed to pay a duty of forty pence per ton for the convoying their ships to and from the ports of Brittany and Gascony*.

Rome was now falling to decay, by being deprived of the residence of the papal court, by the troubles in Italy, the barrenness of her own territories, and the removal of her manufactures to Ge-

noa, Pisa, Venice, and Florence: her only support, therefore, depended on the numerous pilgrimages made to her holy places. The grand jubilee in particular, which was first instituted by Boniface VIII. at the beginning of every century, was this year changed, by the reigning pope, Clement VII. to every fiftieth year; which brought such a prodigious concourse of people to Rome, that there were reckoned no less than two hundred thousand pilgrims in the city, most of them carried thither by motives of religion, inspired by the terror of the pestilence†. But Edward, apprehending that the coin of the nation might be carried off and exhausted by the vast multitudes of his subjects who seemed preparing for this romantic expedition, very wisely restricted them from going thither, by a severe edict, or rather by enforcing one made (and taken notice of by us) in the preceding year. The pope in vain solicited a revocation of these orders; all the relaxation Edward could be brought to, on this head, was to grant particular licences for this pious jaunt to about one hundred and fifty persons, most of them ecclesiastics; and even they were not permitted to carry more money with them than what would defray their necessary expences‡. However, that he might not appear to contradict the see of Rome merely from motives of pique or caprice, he lent an ear to proposals that were made him, towards the close of this year, by two cardinal legates, in the name of John, the new king of France, for a prolongation of the truce now subsisting between the two crowns, till the year 1356.

The remainder of this year, like the last, was spent in making several excellent regulations for preserving peace and good order in the state; in particular, the wages of servants were settled, whose demands, on account of the late calamitous times, had been so exorbitant for labour, that both agriculture and manufactures lay neglected for want of hands to carry them on: Edward, therefore, on the eighteenth of November this year||, issued a proclamation, by the advice of his council, by which all persons, of both sexes, in his dominions, who could shew no visible means of subsisting, independent of work, were obliged to enter into service, and be contented with the customary wages. The fees of journeymen and artificers were likewise regulated; as also the prices of victuals and provisions. Towards the end of this year, the nation received some consolation by the plague beginning to abate§.

On the fifteenth of February, 1351, a parliament met at Westminster, which granted the king three tenths and three fifteenths, to be paid, as the last were, within three years¶. In this parliament, fir-

* Edward affected a particular pride in this and all other naval victories (though his ruling passion was for a land war), in order to render himself popular, well knowing that the superiority of the sea was what his subjects had most at heart: on this occasion, therefore, he caused current pieces of gold coin to be struck, whereon he was represented on board a first rate ship, with his crown on his head, his sword in his hand, and his shield (quarterly, England and France) on his arm, to perpetuate the memory of this action. Act. Pub. Walsingh. Rapin. Numism. Brit. Hist.

† In this season of despondence and superstition, Holland and Flanders produced a set of disciplinarians, who strolled about in procession to all religious houses, preaching, singing, and scourging themselves alternately, until the blood ran down in streams, from their bodies. Some of these fanatics came over to England, and performed their discipline in the streets of London: but finding themselves ridiculed by the multitude, and neglected by the nation in general, they soon returned to

their own country, without having made one proselyte among the English. Rymer. Carte. Smollett.

‡ Rymer, vol. v. p. 668, 677, 681. Knyghton, 2601.

§ Rymer, vol. v. p. 708.

§ It was about this time that the Turks, under their sultan Amurath, first invaded the European shores of the Constantinopolitan Greek empire, after having gradually mastered all the provinces of that empire in Asia. Amurath quickly possessed himself of Gallipoli, Adrianople, and other places, in so much that the Greek empire might now, indeed, be said to be miserably tottering, its capital, Constantinople, being hemmed in and surrounded between the Turks of Asia, and those who had now intruded themselves so near it in Europe: nevertheless, the miserable remains of that empire still held out another century against all the fury of Turcism. Voltaire, Essay on Gen. Hist. Anderson's Origin of Commerce.

¶ Rot. Parl. 25 Ed. III. Collins's Abridgment, p. 73.

John Maltravers, one of those concerned in the murder of Edward II. having some years since come in, and submitted to the king's mercy, and lately received his pardon, petitioned the house that the same might be then confirmed; which, in consideration of his faithful services to the king in Flanders, was accordingly granted*. During this session also, Henry, earl of Lancaster, was honoured with the title of duke of the same place, being the second who was raised to that dignity in England. He was the son of Henry, brother of Thomas, earl of Lancaster, beheaded in the reign of Edward II. (who was son of Edmund, younger son of king Henry III.†) During the life-time of his father, the earl of Lancaster, he bore the title of earl of Derby, under which name he has already been mentioned in the history of this reign. At the same time the lord Ralph Stafford was created earl of Stafford, with a pension of a thousand marks till the king could assign him lands to that value, for the support of his new dignity.

About the middle of this year, a treaty was set on foot for the ransom of David, king of Scotland, and also for the conclusion of a final peace between Scotland and England. The first part of this negotiation succeeded so far, that it was agreed that David should go to Scotland in person, to endeavour to raise the money demanded for his ransom, on condition that if he did not succeed, he was to return the Easter following, several of the chief of the Scottish nobility delivering themselves as hostages to the king of England for the true performance of these engagements on the part of their sovereign. Accordingly, about the end of October, that prince returned to his own country, where, notwithstanding his being received by his subjects with all imaginable demonstrations of joy, he found it impossible to raise the sum required, and therefore redelivered himself up to Edward.

The humiliating hand of offended heaven is seldom acknowledged by man, longer than the weight is immediately felt by him: the spirit of ambition and bloodshed, which seemed to have crouched beneath the late tremendous scourge of Providence, now sprung up again upon the removal of that calamity. The late truces between France and England were daily violated, as convenience prompted either side to make incursions on each others territories. The French having in a manner blocked up Calais, by possessing themselves of all the towns and villages in its environs, sir John Beauchamp, governor of that important place, went forth with a party of men, to clear the neighbourhood of those interlopers; but being attacked by a superior number of French, he was surrounded, and, although he killed the French commandant with his own hand, yet, fresh numbers coming in, he was compelled to yield, and was sent prisoner to Paris, after having seen almost all his detachment, consisting of five hundred men, cut in pieces around him.

This disaster was severely revenged by sir Robert Herle, whom Edward now sent over to succeed Beauchamp in his government, together with sir Walter Manny and the duke of Lancaster, who over-ran the frontiers of Picardy and Artois, burning several towns, and committing the most dreadful ravages. In Guienne, Guy de Nesle, marshal of France, entering Xaintonge with a numerous

body of troops, destroyed all with fire and sword till he came to St. Jean d'Angeli‡, where he was at length met by the English army, and, after a smart engagement, his forces were routed, and himself taken prisoner, with his brother and most of his best officers. The French, however, made themselves some amends for this loss, by afterwards taking the town and castle of St. Jean d'Angeli, the garrison of which was too weak to stand against the force brought before it. This place had been in possession of the English upwards of six years.

Edward beheld these repeated breaches of the truce on the part of France not without a degree of satisfaction, as they afforded him so fair a pretext for renewing the war, from which he hoped to reap so much advantage; he therefore called a parliament, on the nineteenth of January, 1352, when no arguments or representations were omitted on the part of the crown, to engage the members to look upon the late hostilities as an open declaration of war on the side of France: the house was put in mind, "that it was in consequence of the advice and assent of his parliament that the king had engaged in the vindication of his just rights against the family of Valois: that his arms had hitherto been crowned with a success beyond expectation, to the great honour of himself and the nation; and therefore, that it would reflect indelible ignominy on both, should he now lay down the sword, before he had brought his enemy to acknowledge the justice of his cause, and to make reparation for their manifold breaches of faith and the injuries they had done to his subjects in his continental territories. For this purpose it was said, the king expected that his parliament would heartily concur in furnishing him with the proper means to oppose the measures of his enemies. At the same time he thanked them for the former instances of their liberality; and desired, that if they had any grievances which they would wish amended, that they would lay the same before him and his council, when they might expect immediate redress in all things, consistent with the dignity and prerogative of the crown."

This was the substance of the speech with which sir William Sharehull, the chief justice, opened the session. The commons hereupon voted a grant of a triennial tenth and fifteenth; but, at the same time, desired they might have a clear and explicit answer to such grievances as they should lay before the throne. Accordingly, in a few days, they waited upon the king, and presented him with a roll, containing both their aid and their petition for redress of grievances, the principal of which were the two following.

"That the judges having, in their trials, condemned many persons as traitors, for divers causes that the commonalty did not know to be treason; that the king, by his council, and by the great and wise men of this land, would be pleased to declare what particular points were to be deemed treason.

"That whereas the people of the law, who follow divers businesses in the king's courts for particular persons as their proctors and solicitors, and cause many petitions to be exhibited in parliament in the name of the commons, which do not at all concern them, but only the particular persons whose business they follow."

* Tyrrel, p. 571.

† Walsingham, p. 170.

‡ Froissart.

“And whereas sheriffs also, who are the common ministers of the people, and ought to mind their office, by which they are to do right to every one, are named, and have been before this time returned, in parliament, as knights of counties, by themselves, being sheriffs.

“All the commons do therefore pray that, for the future, no man of the law, following business or practising in the king's court, nor sheriff, for the time he is sheriff, may be returned or accepted as knights of counties; nor that any lawyers or sheriffs, for the future returned to parliament, have any wages.”

The king returned for answer to these petitions,

“That a statute having been made the year before, defining treason, nothing should be treason but what was declared in that statute*. And,

“That in all future writs of summons, the sheriffs should be directed to return the most considerable and best qualified knights or esquires in the county, who did not live by holding pleas or maintaining false suits and quarrels†.”

By the first of these petitions it appears, that the law concerning treason, though one of the most valuable the English ever acquired, had not then been so sufficiently published, as that the commons were acquainted with it: and by the second we find, that the practitioners in the law had already distinguished themselves so remarkably in their profession, that it was thought necessary to exclude them from sitting in the house of commons, the great emporium of national justice. The other business of this parliament not falling within the compass of this history, we shall therefore resume our account of the occurrences of the times.

In the beginning of this year the strong town and castle of Guisnes, in the very neighbourhood of Calais, was delivered into the hands of the English, in the following manner: one Lancaster, an English archer, being a prisoner in the castle, found means to escape to Calais, where he gave Herle, the governor, notice of a certain low wall that ran across the ditch, for the use of the fishermen, and was covered with not above two feet water, by which it was easy to get into the castle and surprize it. Upon this discovery, the governor sent about thirty or forty stout fellows, who undertook to put this design in execution; who, getting over the ditch by this low wall, scaled the walls of the castle with ladders they had been furnished with for that purpose, and, killing most of the garrison, who were asleep, made themselves masters of the place which was afterwards delivered up by the said Lancaster to king Edward's order, who now fortified it, and put a good garrison therein: but Edward did not long enjoy this new acquisition‡, for the place was afterwards besieged by the lord Charny, and, though the garrison, assisted by that of Calais,

made a very obstinate defence, yet they were at length obliged to surrender.

Edward's arms were this year very successful in Brittany. The French marshal de Nesle, who had purchased his liberty, was detached, with a body of forces, to assist the partizans of Charles de Blois; and, being joined by many noblemen of Brittany, he formed a considerable army, with which he attacked sir Walter Berkeley, in the plains of Mauron, between Rennes and Ploermel; but, notwithstanding he had with him near double the number of troops to the English, yet these latter exerted their usual courage with such success, that de Nesle was utterly defeated, and himself once more made a prisoner, together with the viscount of Rohan, the lords of Montauban, Rouen, Beauvais, and many others; fourscore knights, five hundred gentlemen, and a great number of common soldiers were left dead upon the field of battle.

About this time the daughter of Henry, duke of Lancaster, who was left a young and beautiful widow by her former husband, was married to the duke of Bavaria, son of the late emperor, who had now, in right of his mother, succeeded to the earldom of Hainault. And soon after, the duke himself, taking the opportunity of this season of inactivity (the truce still subsisting, notwithstanding the few skirmishes above related), left England, accompanied by the lord Roos, and several other persons of distinction, to serve in the character of volunteers in Prussia, against the Infidels, who had attacked the Knights of the Teutonic Order in that country; but, in their passage through Germany, they were, by the treacherous artifices of Otho, duke of Brunswick, arrested and detained in confinement till they purchased their liberty at a high ransom. Being returned to England, the duke of Lancaster could not help expressing his resentment against the duke of Brunswick, whom he suspected to have been the author of his detention and that of his companions. This being reported to Otho, he sent Henry of Lancaster a challenge, defying him to single combat in any part of the dominions of the French king, whom he had chosen umpire of the dispute. Lancaster readily accepted the challenge; and having obtained the king of England's licence, he departed for France, and, on the day prefixed, appeared ready to enter the lists against his antagonist: but the king of France, not willing that matters should be carried to extremities between two persons of such high quality, interposed his good offices, and Otho having renounced his challenge, a reconciliation was effected between him and duke Henry, who returned in triumph to England. No other transaction worthy historical record passed in this year, 1352.

Clement VI. dying on the thirty-first of December in the preceding year, Innocent VI. was elected

* What this law concerning treason was, the reader will learn from the following quotation from Bacon's Discourses on Government, part ii. p. 46. “Edward III. reduced the crime Wounded Majesty (i. e. Leze Majesté, or Treason) in the person of the king, into certain particular instances, out of the compass whereof the judges of the law, in ordinary causes, must not determine treason. These concern either the safety of the person of the king, or the succession in the royal throne; or lastly, the safeguard of the public right by the broad and privy-seal; the value of money; and by persons in matters of judicature judicially proceeding; all of them reflecting upon the king, considered in his political capacity: for otherwise, many crimes might have been mentioned, more

fatally reflecting upon the king in his natural capacity; which were, nevertheless, omitted as not worthy of so high a censure. Other treasons were left to the determination of parliament, as occasion should offer itself, whereof divers examples, of a new stamp, occurred within forty years afterwards, which were of a temporary regard, and lived and died with the times.”

† See Rot. Parl. 26 Ed. III. Tyrrel. Coke's Institutes.

‡ This is the account given of the taking of this place by William, the Florentine historian; but other writers tell us, that Herle, the governor of Calais, tampered with Baucouray, the lieutenant-governor of Guisnes, who delivered up the place to him for a sum of money.

into the pontifical chair in the beginning of 1353, and continued the mediation for a peace between the two crowns, but without success. Edward had, in confidence, signified to the late pope, that he was willing to make peace with France and resign his claim to that crown, on condition that the duchy of Guienne and county of Ponthieu were restored to him, as fully as any of his predecessors had enjoyed them, together with a full cession of the earldoms of Artois and Guisnes, and the town and territories of Calais; the whole to be by him held, and his heirs, without any obligation to homage, or other service: and now the archbishop of Canterbury, the duke of Lancaster, and several other noblemen, were sent over in quality of commissioners, to Guisnes, to treat upon the same terms, with other commissioners, on the part of king John, in the presence of the pope's legates; but the French deputies refusing to accede to the king of England's proposals, and the ambassadors of the latter having had orders not to abate a tittle of their demands, the negotiation proved fruitless. The English parliament, however, were so pleased with the pacific dispositions shewn by their sovereign, which was imputed to his earnest desire to ease his people of their burthens, that they agreed to continue the subsidy upon wool, leather, and wool-fells for three years, in case the war should continue so long. In this parliament also several wholesome ordinances were drawn up, for settling the staple* of wool, leather, wool-fells, and lead, in London and Westminster, and some other chief towns and cities in England, Ireland, and Wales, to which it was to be confined.

In the month of July, this year, David, king of Scotland, who had returned, according to agreement, to his captivity in England, was, by the mediation of his queen, Edward's sister, admitted to renew the treaty for his ransom; and it was finally agreed, "that he should obtain his liberty immediately upon paying for his ransom the sum of ninety thousand marks sterling, at equal proportions, within the space of nine years, ten thousand of which were to be paid at the feast of Candlemas next ensuing, the second at Candlemas, 1357, and so till complete payment should be made of the whole: that twenty Scottish gentlemen, heirs of the chief families of that kingdom, should remain in England as sureties for such payment; and that, in case of default in any part of the said payment, David was to return to England, and there continue till the sum was discharged; or in his room, if not able so to return, that the lord high-steward of Scotland, the lord Douglas, Thomas Murray, and John of the Isles, should come and remain here in his stead." David now flattered himself with the hopes of approaching liberty; but his subjects, either unable to raise the sum in their exhausted state, or from other reasons which at this distance of time, and without proper authorities, it would be ridiculous in us to intrude upon the reader, left their sovereign to remain in captivity.

The year 1354 was very little remarkable for any thing but a secret correspondence entered into

between Charles, king of Navarre, commonly called the Bad, or the Wicked, and the duke of Lancaster, while employed in France in treating about a peace. Charles was descended from the blood-royal of France, and had himself married a daughter of king John; but all these ties, which ought to have attached him more firmly to that prince's interest, served only to make him vain of his power, and to aim at overturning that throne, which it was his duty to support: dreading the vengeance which his many crimes so amply deserved, he resolved to screen himself from the impending danger by forming an alliance with Edward, who, pleased to have so powerful a head of a party in his interest within the very court of France, promised Charles to assist him with all his forces, as soon as the truce between France and England should be expired. A promise, however, which he made only in consequence of very great concessions made him by Charles, in hopes of that assistance.

In a parliament, which sat for the first time on the twentieth of April this year, the ordinance made in the preceding parliament relating to the establishing the staple within the realm, was confirmed; as were also some others, though of too little moment to claim a place here: at the same time the commons gave such intimations of their desire of peace, that not a little staggered Edward, who waited with impatience for the ending of the truce to light up the flames of war in the very heart of France, in consequence of the flattering prospect he had conceived from the engagements he had entered into with the king of Navarre; at the same time he was sensible that he durst not venture upon a war without the consent of the commons: it is true, indeed, they had, pursuant to their former maxim, referred all to what it should please the king and his peers to do; but Edward plainly saw there was little trust to be reposed in this outside of compliance, against their known sentiments; he, therefore, affected to fall in with their inclinations, and the duke of Lancaster, the bishops of Norwich and London, with the lord Guy de Briant, were appointed his commissioners to treat of a peace under the mediation of the pope.

Conferences were accordingly opened at Avignon, in the beginning of the year 1355, in presence of pope Innocent, in a consistory of all his cardinals. The chief of the commissioners on the part of king John were the duke of Bourbon, the earl of Armagnac, and Charny; but all hope of a pacification soon vanished, when the French plenipotentiaries declared there was not a gentleman in France, who would not rather lose his life than consent to a separation of Guienne from the crown of that kingdom†: all that the pope could do by his most earnest remonstrances, could not bring either party to relax in the least particular; and a prolongation of the truce till Midsummer following was the whole result of his intercession. It is not to be doubted that Edward had taken care to furnish his commissioners with proper instructions to embarrass a negotiation that was so disagreeable to

* Staple signifies any particular town or place, whither the merchants of England were, by act of parliament, to carry their wool, cloth, lead, and tin, for selling the same wholesale. What were the staple commodities of the realm, may be seen in the statute of 14 Rich. II. cap. i. as wool, leather, wool-fells, tin, lead, &c. The staple of wool was removed to

Westminster, Canterbury, Chichester, Bristol, Lincoln, Hull, and Calais. See Rymer's *Fœdera*, vol. v. p. 681. Walsingham, p. 180. Anderson's *Origin of Commerce*, vol. i. See also Rot. Parl. 27 Ed. III. n. 1—6.

† Du Tillet, *Hist. Gen. de la France*.

the views of conquest which he had entertained : be that as it may, the conferences broke up, and the plenipotentiaries on both sides returned to their respective countries.

In the mean time the king of Navarre, agreeable to a plan that had been concerted between him and Edward, had filled with Navarrese garrisons the strongest places in Normandy, viz. Evreux, Pont Audemer, Cherbourg, Mortaigne, Gavie, and Avranches; and Edward, to fix him the more firmly in his favour, about the latter end of June sent the prince of Wales into Gascony, to renew the war, with a reinforcement of one thousand men at arms and fourteen hundred archers. Before his departure, he created him his lieutenant-general of Aquitaine, and all other places in France that should be by him recovered, investing him with full powers of making alliances, raising troops, and receiving the homages and fealties of the king of England's subjects in France. Accordingly the prince sailed from Plymouth, attended by the earls of Warwick, Suffolk, Salisbury, and Oxford. He was soon followed by the king his father, who, having received an invitation from the king of Navarre, to enter Normandy, he ordered a fleet to be equipped, on board of which he embarked, with the duke of Lancaster as admiral, and his two sons, Lionel and John of Ghent, and landed at Calais in the last week of October : he ravaged the Boulonnois and the county of Artois without opposition. Upon the news of this descent, king John assembled an army in all haste, and advanced to meet Edward as far as St. Omer's, from whence he sent the latter a challenge, offering to decide their quarrel by single combat, at the head of their armies : but this was too stale a device to entrap Edward ; he replied, that he was ready to give the king of France battle at any time or place he would nominate ; but John did not think proper to accept of this offer, and, having received some accounts of Edward's army that did not much please him, he thought fit to retire from St. Omer's, after destroying all the provisions in the neighbourhood. Edward followed him for some days, but, for want of provisions, was obliged to return, on the eleventh of November, to Calais : there he heard that the treacherous king of Navarre had made his peace with John, and admitted that monarch's garrisons into his strong places in Normandy. Hereupon he dismissed the foreign troops he had in his service, and returned to England*.

But his son, the prince of Wales, had proved more successful in his expedition into Gascony, where he made a surprizing progress, burning the towns of Plaisance, St. Bertrand, and Narbonne, and destroying the counties of Rouergne, Clerac, Cominges, Lisle, and Carcassonne, with an infinite number of other places, and all in sight of a superior army, under the command of the constable of France.

The principal reason of Edward's so speedy return from the continent, seems to have been the alarming news he received, while there, of the

progress made by the Scots on this side the Tweed, who, in the absence of the northern nobility, who were the guardians of the Marches, had surprized the town of Berwick, on the sixth of November, and were making great preparations to invade England. They had been encouraged to this renewal of hostilities by the king of France, who had sent them a large reinforcement both of men and money, to prevent their concluding a separate peace with England.

Edward, at his return from France, found the parliament sitting ; on his going to the house, he complained in bitter terms of the treachery of the Scots, who, after a treaty concluded and ratified, had thus abused his good faith : at the same time he inveighed strongly against the arts of the French court, on whom he threw all the blame of the miscarriage of the late endeavours for a peace, and who, he said, left no means untried to injure him in his lawful possessions abroad, and raise him up enemies at home : he then proceeded to acquaint the assembly with the nature of the treaty he had entered into with the king of Navarre, in order to bring that prince into the interest of England ; and the reason of that project's miscarrying, namely through the instability and double dealing of the latter : he pressed the commons to grant him such a supply as would be necessary for reducing the Scots, recovering the town of Berwick, and bringing the French war to a speedy conclusion ; and ended with desiring them to bring in all their grievances, assuring them that they should receive immediate and full redress. The commons, highly pleased with the marks of confidence reposed in them by the king, and sensible of the necessity of recovering Berwick, and putting a speedy end to the French war, cheerfully voted an aid of fifty shillings upon every sack of wool sold in the kingdom for six years†. After this the house proceeded to make some regulations concerning the right of impannelling juries, which were to consist of the most reputable persons in the county, living nearest to the place where the fact was committed ; and then broke up the session on the last day of November.

The king, having his hands thus strengthened, quickly raised an army, at the head of which he proposed to take the field against the Scots : he had with him sir Walter Manny, one of his best officers, and it was resolved that their first operation should be the retaking of Berwick.

It was the beginning of the year 1356 before Edward was advanced as far as that place ; the Scots, upon his approach, quitted the town of Berwick, as not being tenable against the forces which the king of England brought with him ; and retired to their woods and fastnesses, after having carried off all the provisions of the country. Edward then advanced as far as Haddington and Edinburgh, marking his progress with ruin and devastation ; but his fleet being dispersed by a storm, he was forced, for want of a supply of provisions, to return with his forces to Roxburgh‡.

* It is somewhat extraordinary that we find no mention in the Public Acts of this expedition of king Edward ; though whenever the kings of England went beyond sea a memorandum of the day, both of their departure and return, is hardly ever omitted. But since the historians of both nations speak of Edward's going to Calais, a bare negative proof is not sufficient to invalidate their testimony. Rapin.

† Avesbury says, that this aid would bring into the king

above a thousand marks every day during that term ; and as, according to the general computation, upwards of one hundred thousand sacks of wool were transported every year abroad, it could not produce less than one million five hundred thousand pounds sterling : so considerable was our woollen trade even in those days.

‡ Avesbury. Carte.

There he was met by Edward Baliol, who had all this time lived in England as a pensioner, with the empty title of king, but without the dignity or comforts of one: being grown old, worn out with infirmities, and unable to support any longer the fatigues of war, and despairing ever to be permitted to sit quietly on the throne of Scotland, he came to a resolution of securing to himself a calm retreat for the short remnant of his life, and proposed to Edward to resign to him all claim whatsoever upon the crown of Scotland. Accordingly, on the twentieth of January, 1356, he, by a formal charter, dated at Roxburgh, "freely resigned his crown and realm of Scotland, the dominion of Galloway, with the islands, towns, castles, possessions, and all rights thereunto belonging, conveying the same to the king of England and his heirs, in consideration of a pension of two thousand pounds per annum for life, the payment of all his debts, and five thousand marks to be paid a fortnight after Easter †." This done, Edward, for the reasons above-mentioned, returned with Baliol to London, in February following, where the clergy gave him the tenth of one year, as the prelates did of two years for themselves. The earl of Northampton soon after concluded a treaty with the Scots till Michaelmas following.

Mean time the king of Navarre having again entered into a private negociation with some of Edward's officers, then carrying on the war with France, John got intelligence of it; and finding it impossible to fix that wavering prince, resolved to secure his person. With this view he invited the king of Navarre, and other noblemen of his party, to an entertainment at Rouen, where they were arrested and thrown into prison; the heads of the chief friends of the king of Navarre were immediately struck off, and he himself sent to the Châtellet in Paris, from whence he was afterwards removed to Arlaix, in Artois, where he remained in close confinement. This act of severity, however, served only to embarrass John's affairs the more: Philip of Navarre, brother to the captive king, and Geoffrey de Harcourt, fortified all the towns and castles belonging to that prince, and applied to Edward for assistance, who would not let slip so favourable an opportunity of giving a diversion to the French king's arms, who had now mustered all his strength, and was preparing to march against the Black Prince in Gascony. Accordingly Edward sent over a supply of men, under the command of sir Miles Stapleton, a knight of the Garter, with a promise to the Navarrese party, that they should be farther supported by the duke of Lancaster, who commanded in chief in Brittany.

Prince Edward, after his successful expedition at the end of the last year, had, in the beginning of this, reduced the greatest part of the Agenois; after which, about March, he put his troops into winter-quarters, where they remained for some months to refresh themselves after the fatigues of a

long winter-campaign, and it was the sixth of July before he set out for Bourdeaux, at the head of two thousand men at arms, six thousand archers (half of them English), and four thousand foot. With this little army he wasted Quercy, the Limousin, and Auvergne, advanced to Berry, and, after some unsuccessful attacks upon Bourges and Issodun, took Vierzon by storm. Here he refreshed his army, and first learned that the king of France was posted at Chartres, on the other side of the Loire, all the fords of which were strongly guarded. The prince now found it impracticable to advance farther, and therefore came to a resolution to take a compass in order to return to Bourdeaux; but John, who had foreseen his design, crossed the Loire at the head of his army, and marched with such expedition that he overtook him near Poitiers. Young Edward now saw all the folly and temerity of so precipitate and destructive a march, and the difficulties into which he had brought himself; but it was too late to think of retreating without a battle, and it seemed next to an impossibility even to entertain an hope of victory over an army so disproportionate to his own. Nothing, then, was left for him to do, but to entrench himself in the best manner he could, and wait the attack of the enemy, leaving the issue to Providence, the disposer of all events. Accordingly, he posted his handful of men in a place of difficult access, full of hedges, bushes, and vineyards, where neither the enemy's cavalry could attempt to pierce, nor their infantry to attack without great disadvantage: at the end of a narrow lane, the only avenue by which the French could come to attack his main body, he placed a square battalion of the flower of the English archers, which it was necessary to break before the French could at all avail themselves of their superior numbers.

The king of France, who with his army, consisting of sixty thousand horse besides infantry, amounting in all to one hundred thousand men, lay encamped between Beauvoir and Maupertuis, held a council of war, in which it was agreed to attack the English next morning*. Prince Edward was already so distressed for provisions, that in a few days he might have been starved into a surrender by less than the half of the numbers king John had then with him; but the latter, presuming on his great superiority, looked on the English prince and his handful of followers as already his prisoners, and, full of this presumption, he severely chid the lords Ribamont and Beaujeu, who presumed to give him this salutary advice; he did, indeed, shew rather more compliance with the earnest entreaties of Talayraud, cardinal of Perigord, who besought him not to sacrifice unnecessarily the lives of so many brave French gentlemen, who must unavoidably be slain in the attack, but rather permit him to pay the prince of Wales a visit in his camp, whom he did not doubt he should be able to persuade to a surrender. John, after some hesitation,

† Rymer, vol. v. p. 832, 835, 836—850.

* If the Black Prince, says Mr. de Voltaire, committed a fault in advancing too hastily, John was guilty of a much greater in attacking him. This battle of Maupertuis, or Poitiers, greatly resembled that which had been lately lost by Philip de Valois: there was order and discipline in the army of the Black Prince, whereas the French had only courage; and this was overcome by the superior courage of the English and Gascons, who fought under the banner of the prince of Wales. We do not find it said, that cannon were made use of by either

army in this battle: the silence of writers in this respect leaves room to doubt whether there were any used at Cressy; or, at least, it proves that if there were, they had been found of little effect, and, upon that account, had been discontinued; it may likewise serve to shew, how apt men are to slight advantageous discoveries, on account of their novelty, and for the sake of adhering to an old established custom; or, lastly, it is a tacit reflection on the negligence and inaccuracy of historical writers. See Smollett's Translation of Voltaire's Essay on Gen. Hist. vol. ii. p. 285, 286.

allowed the cardinal to undertake this office, who immediately repaired to Edward; and this latter, fully sensible of the imminent dangers to which he and his little army were exposed, declared himself ready to listen to any terms consistent with his own and his country's honour. The cardinal being returned with this answer, John remanded his troops, which were already drawn out, to their quarters, and the cardinal spent the whole day in passing between the two camps, to adjust the articles of accommodation. The prince of Wales offered to restore all the places and prisoners he had taken in that campaign, and bind himself not to carry arms for seven years against the king of France, provided the latter would allow him to retire, with his army, to Bourdeaux: but John haughtily rejected these offers, and insisted, as his last and peremptory demand, that the prince and an hundred of the chief nobility should surrender themselves prisoners of war. To this the prince replied, that himself and his knights should never be taken but in battle; and that he would rather sacrifice his life than consent to such terms, which would not only bring everlasting dishonour on his name, but on that of the king his father, and the whole English nation.

This declaration, and John's obstinacy, putting an end to all hopes of agreement, both sides prepared for engagement the next day; when John drew his troops out into the field in the following order: he divided his army into three bodies, the first and most advanced of which was conducted by his brother the duke of Orleans; the second by the dauphin of France, assisted by his brothers, the dukes of Anjou and Berry; the last division was headed by John in person, who had by his side his younger son, Philip, the duke of Tourenne, and forty thousand of the best troops of France.

As to Edward, he had hardly choice left for dispositions in so small an army as his; what he could, however, he did: he divided his troops into three distinct bodies, but ranged in such a close compact manner that they seemed to form but one square battalion: his front was defended by a number of ditches and hedges, and his flanks were secured on the one side by a steep hill, and on the other by a morass. On the side of the hill was stationed the earl of Warwick, with the troops which composed the van; within an hedge, about a stone's cast from the lane through which the French must march to make their attack, the rear, commanded by the earls of Suffolk and Salisbury, was posted; at the end of this lane there was a pretty large gap, within which prince Edward took his post with the main body, which extended itself among the vines and bushes, the weaker part of the field being enclosed by the carriages of the army.

It had been agreed by John and his generals, to begin the attack by three hundred chosen men, in complete armour, who were to enter the lane, sustain the fury of the enemy's first onset, and make way for a body of dismounted cavalry to advance to the charge. It is generally agreed that John committed a capital error, in causing his horse to dismount and begin the fight, as they being unaccustomed to engage on foot, were the least of all fit for the service of dislodging an enemy from a post hampered with so many hedges and obstructions; besides, prince Edward had, with an admirable presence of mind, detached a body of men, unperceived by the French, under the command of

de Greilly, captal of Buche, with orders to take a compass round the hill, where he was to keep under covert of the hedges and ditches with which it was surrounded, till the battle should begin, and then he was to fall upon the rear of the French, which it seems extended to the bottom of the hill.

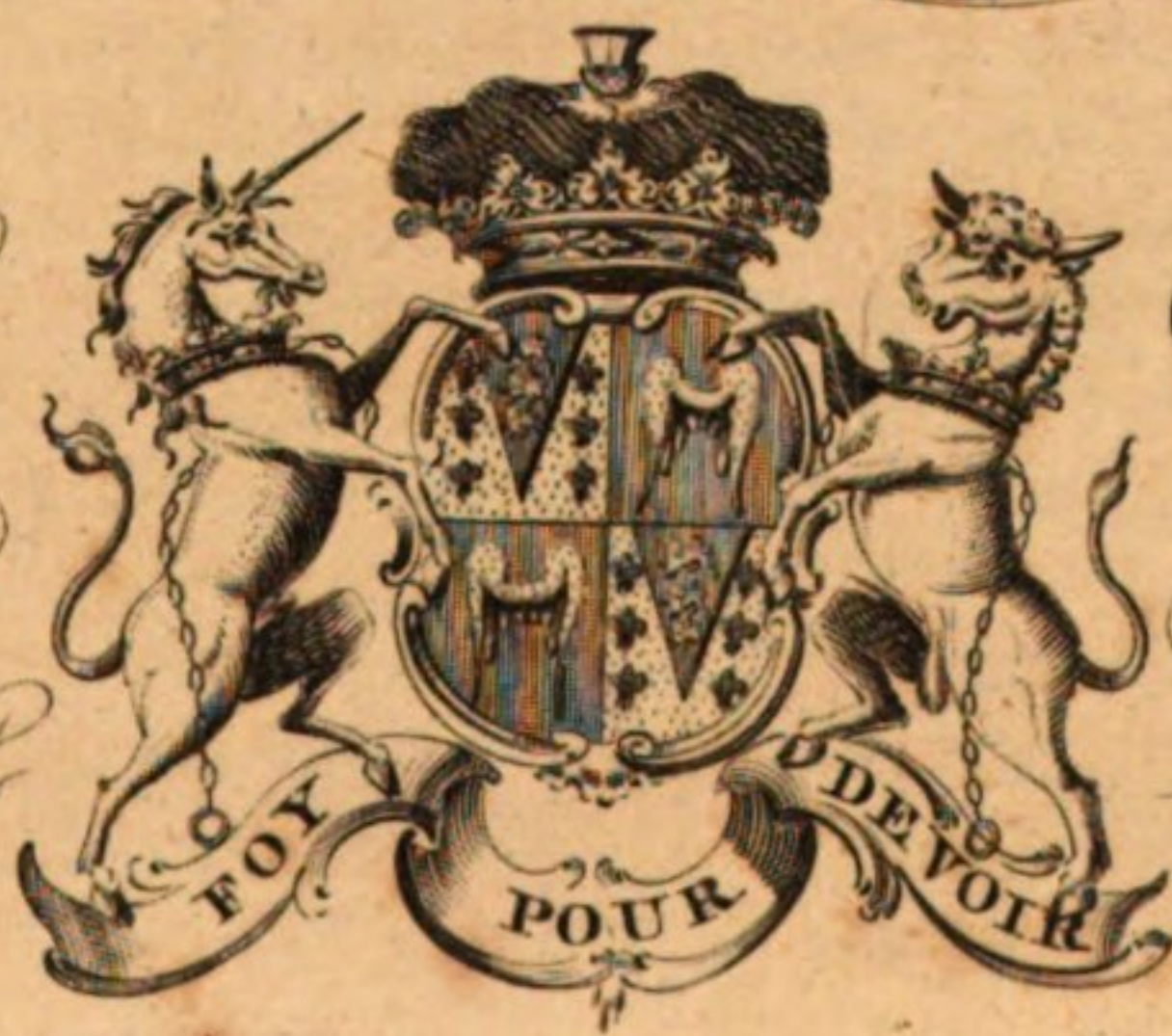
The battle was begun about nine o'clock in the morning, by the three hundred chosen French, who advanced up the lane towards the main body of the English, but were so galled by the English archers that lined the hedges, that one half of them was slain before they reached the front of Edward's main body, where the rest were hewn in pieces by an advanced party under the lord Audley. The marshals Clermont and Andrehen, who, with a body of chosen cavalry, had advanced close behind the men at arms, to support them, met with such a warm reception from the earl of Warwick, and were also attacked with such impetuosity by Salisbury and Suffolk, advancing with detachments from the rear, that Clemont was killed on the spot, and Andrehen obliged to surrender himself prisoner, whilst most of his French corps shared the fate of the former. The first body of the French, being thus routed, the dauphin advanced to the charge, though it was with difficulty he could prevail with his men to follow him, so dispirited were they with the disaster which had befallen the first line; and their dismay was not a little increased by John de Greilly's rushing from his covert, and falling upon their rear with dreadful slaughter: thus unexpectedly attacked, the French hardly stood one charge, when they threw down their arms, and betook themselves to sudden flight, the English archers plying them in front, flank, and rear; while the other infantry, with battle-axes and swords, made a prodigious havoc amongst them. The lords of Landas, Badenay, and St. Venant, who were particularly charged with the care of the dauphin and his brothers, carried them off the field to Chavigny, under an escort of eight hundred lances; and the duke of Orleans, with the greatest part of his command, which had not yet engaged, thought proper to follow the same route.

Notwithstanding the defeat and flight of the two first lines of the French, all the household troops, headed by their king and the prime of their nobility, with many thousands of the best disciplined forces in Europe, remained still entire, and were alone an over-match for Edward and his little corps; but the latter resolved to follow his success, and despising danger where such immortal fame was to be the prize, mounted his horse, and advanced at the head of his men at arms to attack John and his third division, who waited for him with firm countenances. Here the dreadful struggle for victory began, all that had before passed appearing only as an exercise of arms, in comparison of the dreadful shock that now ensued. We might here, after the example of other historians, amuse our readers with a romantic description, in a more romantic style, of the prodigies of valour performed by the royal and princely chieftains; we might ring the changes upon sprightly steeds, barbed arrows, and glittering faulchions, and paint victory hovering between the two hosts, uncertain on whose standards to fix: but, waving these superfluous ornaments, or rather clogs, to narration, we shall content ourselves with observing, that John exerted his utmost efforts to regain, by his personal valour, what

The Black Prince waiting on y^e King of France his Prisoner.



*To his Grace
Duke of
This Plate is most*



*Edw. Seymour
Dorset
humbly Inscribed*

what the dastardly behaviour of his officers had lost; while Edward, animated by the hopes of obtaining a complete victory, fought with redoubled courage, and, by his example, inspired his troops with resistless valour. After a sharp and most bloody conflict, Gauchet de Brienne, duke of Athenes and constable of France, being slain, his brigade gave way, and victory declared in favour of the English; the rout among the French became general; in vain did John and his young son Philip (who, though not above fifteen years old, had given the most glorious testimonies of his courage, by fighting incessantly by his father's side) endeavour to rally the flying troops: John soon found himself reduced to a small battalion of faithful friends; the lord de Charny, who that day carried the standard of France, was beaten to the ground; nevertheless the king still continued the fight on foot, with uncommon valour, till all around him were either slain or had sought their security in flight, his brave young son only keeping by his side. In this condition, surrounded by his enemies and almost fainting through fatigue, he might easily have been slain, but every one was emulous of so noble a prize, and therefore, as they approached, called out to him to surrender, and offered him quarter; but, unwilling to yield himself to any person of inferior rank, he cried out, "Where is my cousin the prince of Wales! to him only I will yield." Being informed that Edward was in another part of the field, he still persisted obstinately to defend himself, till sir Denis de Morhec, or Morheque, a knight of Artois, made his way through the croud of assailants, and requested John to yield himself his prisoner, on which John, after being assured that he was a knight, threw him his gauntlet, in signal of his surrender: his son Philip was also taken with him.

The prince of Wales, who had been carried to a great distance in pursuit of the flying foe, seeing the victory completely gained, had ordered a tent to be pitched, and was reposing himself after his fatigue, when word was brought that the king of France and his son were surrounded, and either slain or taken prisoners; upon which Edward instantly dispatched the earl of Warwick and the lord Cobham, with a small detachment, to enquire into the fate of the French monarch. The noble messengers arrived just in time to save both the king and his son from the brutal fury of the soldiers, who, after disputing with Morhec and his Gascons, whose prisoner he was, rather than yield the prize to their rivals threatened to put both the illustrious captives to death: Warwick's presence quieted the uproar; the royal prisoners were delivered into his hands, and received by him with the utmost respect. They were next conducted to the prince of Wales's tent: history has already so well recorded the magnanimous behaviour of the young Edward on this occasion, that little remains for us to say, farther than to observe that his moderation added new lustre to his valour, as well in the eyes of the captive king and his son, and many French noblemen of the first distinction who were magnificently entertained by the prince that night, as of his own subjects; all agreeing in confessing him to be the most accomplished prince upon earth*. It is said that the

French gave him that day the epithet of the Black Prince, on account of the fatal effects they had felt from his courage, and the gloom with which his victory had overspread all France: others, again, will have it that this appellation was given him on account of a plume of black feathers which he wore in his helmet, to distinguish him during the action. At best they are either mere matter of conjecture, and merit not a serious enquiry.

All the English and Gascon knights followed the example of their prince; the prisoners were every where treated with the greatest humanity and tenderness. The spoils taken in the French camp were so great, that the meanest individual of the English army found himself placed out of the reach of want for the remainder of his days; and, indeed, so numerous were the noble captives, that their ransom alone would have yielded a sufficient booty to reward the toils of their conquerors. The chief of the prisoners of rank, besides the king and his son, were James de Bourbon count of Ponthieu, the archbishop of Sens, John d'Artois count of Eu, Charles d'Artois, his brother, count of Longueville, Charles count of Tancarville, the counts of Vendosme, Salbourg, Dammartin, and la Roche. Among the slain were reckoned Peter de Bourbon, the duke of Athenes, constable of France, John de Clermont, marshal, and Geoffrey, lord of Charny, high-chamberlain.

On the morrow of this signal victory, which was gained on Monday, the nineteenth of September, 1356†, a solemn thanksgiving was, by the prince's order, returned to God, in the English camp, for the success of their arms; after which, the prince ordering his troops to be drawn out into the field, returned them thanks in such a manner as to ascribe to them the whole honour of the victory, without making the least mention of himself. Then he marched to Bourdeaux with his prisoners, where he continued till the beginning of the year 1357.

Pope Innocent VI. who was a Frenchman, and consequently very zealous in the interests of the king of France, hearing of this fatal defeat, and that John and his son were prisoners, sent the cardinals of Perigord and St. Vital to Bourdeaux, with orders to use their utmost endeavours to bring about a peace; but, failing in their negotiation, they confined their requests to the obtaining a truce for two years. The prince of Wales, who was sincerely disposed to heal the wounds which both nations had received in the course of their bloody contest, joined his endeavours to those of the legates, and wrote over to the king his father, then in England, in such pressing terms, that the latter sent him full powers to conclude a truce by sea and land for two years, which was accordingly agreed upon at Bourdeaux, on the twenty-third of March, 1357, and that the Scots should be comprehended in the same. This truce, however, did not affect the affairs of Brittany, where the duke of Lancaster had, after various successes, laid siege to the city of Rennes; but it was raised by Edward's orders, after the duke had been baffled in several assaults.

After the conclusion of the truce, the prince of Wales, having settled the affairs of Gascony, embarked for England, where he landed on the fifth of May, at Sandwich, in Kent. He was received with the

* During the time of the repast, the prince of Wales continued standing, out of respect to John; and when the latter pressed him to sit down, he replied, with infinite modesty,

that "it was not for a subject, as he was, to sit in the presence of so great a monarch." Froissart. Walsingham.

† See Rymer's *Fœdera*, vol. v. p. 870.

most extravagant expressions of joy wherever he passed, but constantly refused those honours that were offered him, and desired that the respect meant to him, might be demonstrated by every mark of attention and civility to the captive king.

On the twenty-fourth of the same month he came to London, where he and all his retinue of prisoners were received in Southwark by a thousand of the principal citizens of London, on horseback: the mayor of London at that time was the famous sir Henry Picard, who, on this occasion, displayed all the pomp of his city. The entry was very magnificent: king John, as being a sovereign prince, was dressed in his royal robes, and mounted on a stately white courser, the prince of Wales riding by his side on a common palfrey and in a plain dress, as if studious to avoid all marks of distinction. The streets through which they passed were adorned with all trophies of plate, tapestry, and armour, so that the like (says the old historian Barnes) had never been seen in the memory of man. The procession reached Westminster-hall about noon, where king Edward, surrounded by a splendid appearance of his nobles and other great men, received his royal prisoner in great state; but at the same time with such an appearance of cordiality as gave the whole rather the air of a friendly visit made by one mighty potentate to another, than of a prisoner brought into the presence of the master of his fate. John, on his side, behaved in such a manner as to shew himself truly deserving so generous treatment; though conquered and a prisoner, he still preserved the majesty of a king, and at the same time that he could not forbear regretting his fortune, he scrupled not to declare that it was a consolation in his calamity, that he was the captive of the bravest and most generous of victors. After the first ceremonies were over, Edward turning to his son, embraced him with all the warmth of paternal affection, and told him in the hearing of all present, that he had felt less joy upon the news of his success, than at the noble moderation with which he had used it. King John and prince Philip, his son, were then lodged in the palace of the Savoy*, with all the honourable freedom they could desire: the other captive noblemen and knights met with the same generous and humane treatment.

Edward at that time enjoyed a glory which appeared the more dazzling as it was very uncommon: he had in his chains his two most potent enemies; the king of France in London, and the king of Scotland at Odiham, in Hampshire†. The latter of these should have had his liberty long before, but for the reasons we have elsewhere mentioned. At this juncture he had little cause to expect any favour from a victorious enemy, who had reduced his country to irretrievable distress, and whom, from the late important and amazing success of his arms in other parts, might, agreeable to the usual frame of the human mind, be supposed elated to a degree of intractability. But the event greatly disappointed David's conjectures: Edward, moved

by the intreaties of the queen-consort of Scotland, his sister, agreed to a treaty for setting her husband at liberty; and a truce having been concluded with the Scots on the eighth of May, David was soon afterwards conducted to Berwick, to which place commissioners from both kingdoms repaired‡, when it was agreed, "that king David should be set at liberty, and acknowledged king of Scotland, and an independent monarch, upon his giving hostages for the payment of one hundred thousand marks sterling, to be paid in ten years, at equal portions; and till the whole should be liquidated, it was agreed that a truce should subsist and be inviolably observed by both nations." This treaty being properly ratified, David had liberty to return to Scotland, where he arrived on the third of October this year (1357), after a captivity of eleven years, full of resentment against those who had abandoned him at the battle of Durham, which he manifested by disinheriting his nephew, Robert Stuart, the heir of his crown, and settling it on Alexander, son of the earl of Sutherland, who was likewise his nephew by a younger sister; but this disposition was afterwards altered, upon the death of Alexander, when Robert, having regained the good graces of David, the succession was again settled upon him by act of parliament.

While the affairs with Scotland were negotiating, and soon after the arrival of the French king, as prisoner, in London, the two cardinal legates, who had mediated the truce between England and France, came over here with some proposals of peace, so very trifling that Edward would not deign to give them a hearing. They next pretended to demand, in the pope's name, the arrears of one thousand marks tribute, which had been formerly paid to the see of Rome. Edward treated this as an obsolete and ridiculous claim deserving no attention, and bid them tell his holiness, "that he held his kingdom of God alone, and acknowledged no other superior, nor would he pay tribute to any mortal upon earth." And, to shew the legates that he was in earnest, he backed this declaration by an order for seizing all persons who should be detected in attempting to bring papal briefs, rules, or processes into England. The good cardinals, however, not to go away entirely without their errand, took care to pay themselves for the trouble they had been at, by raising procurations at the rate of a groat in every mark, upon the spiritualities and temporalities of the English clergy, by way of brokerage, for their endeavouring to make peace. But it is now time to attend the affairs of France.

When prince Edward, after his signal victory at Poitiers, had retired to Bourdeaux with his prisoners, Charles, John's eldest son and dauphin of France, seeing no farther danger on the side of Guienne, hastened to Paris, and calling an assembly of the three estates, desired their assistance for the ransom of the king and the defence of the kingdom. But that assembly, instead of granting his request, laid hold of the present opportunity to de-

* So called from Peter, earl of Savoy, who lived in it. Eleanor, wife of Henry III. bought it of the fraternity of Montjoy, and gave it to her son Edmund, earl of Lancaster; and it was at this time in the possession of Henry, duke of Lancaster. Tindal's notes on Rapin.

† Walsingham. Rapin.

‡ These from England were, John Thoresby, archbishop of

York; Thomas Hatfield, bishop of Durham; Gilbert Wels-ton, bishop of Carlisle; the lord Henry Percy, Ralph Neville, Henry Scroop, Thomas Musgrave: the Scots were, William, bishop of St. Andrew's; Thomas, bishop of Caithness; Patrick, bishop of Brechin, chancellor of Scotland; Patrick Dunbar, earl of Marche; Robert Erskine, and William Livingston, knights. Act. Pub. vol. vi. p. 39, 68.

mand the removal of seven of the principal officers of the crown, and the release of the king of Navarre: they next proceeded to appoint a committee of government, consisting of thirty six persons, chosen by themselves, without whose advice and concurrence the dauphin was to take no step. In this dilemma Charles sent to his father for directions how to act, and received the following answer from him, "that he should not, by any means, agree to such insolent demands; for he had rather continue still a prisoner to an honourable enemy, than return home to become a slave to his own subjects." The estates still insisting on their former demands, and obstinately refusing to enter upon any consideration of a ransom till their requests were granted, the dauphin chose to suffer all rather than comply; and, indeed, the licentiousness of faction was, on this occasion, carried to a most insolent height, as will appear from the following concise relation of those troubles, given us by the celebrated Voltaire*.

"King John's confinement (says he) proved the signal of a civil war in Paris: all the gentlemen were immediately forming parties. Factions are generally established on the pretext of reformation. Charles, the dauphin of France, who was afterwards the wife Charles V. was now declared regent of the kingdom; but it was only to see almost the whole kingdom revolt against him. Paris at that time was become a formidable city, for it contained fifty thousand men, able to bear arms. Charles found himself obliged to release the king of Navarre, whom his father had confined: this was, in fact, letting loose an enemy upon himself. The king of Navarre no sooner procured his liberty, than he came to Paris, to blow the coals of sedition, already sufficiently kindled. Marcel, provost of the merchants of Paris, enters the Louvre, at the head of the malecontents, where he caused Robert de Clermont, marshal of France, together with the marshal of Champagne, to be massacred before the dauphin's eyes. In the mean time the peasants assemble from all parts, and, in the hurry of the tumult, fall upon all the gentlemen they meet, treating them as revolted slaves may be supposed to treat those severe masters who happened to fall into their hands, revenging themselves upon them by a thousand wanton cruelties.

"During these commotions in the state, Charles of Navarre aspired to the crown, and the dauphin and he waged war with one another, till the latter was at length obliged to dissemble, by agreeing to a suspension of hostilities, and pardoning this rebellious but too powerful vassal." Mr. de Voltaire adds, that "it is surprizing that Edward and his son did not take advantage of their late victory, and the calamities of the conquered: it seems (says he) that the English were apprehensive their king would become too powerful, and therefore withheld their supplies:" but, with submission to that great genius, princes are not always influenced by matters of policy; they, as well as individuals, have their passions, their prejudices, their fears, and their weaknesses; and Edward seemed at this time to devote his whole attention to magnificent feasts and diversions, as a respite and indulgence he thought himself entitled to, after the many difficulties he had surmounted.

He began the year 1358 by a proclamation, inviting foreign knights and others to be present at the ensuing feast of St. George, the patron of his new order of the Garter, which was held on the twenty-third of April, at Windsor, where a tournament was given, the most sumptuous and magnificent that had ever been seen in England. The duke of Brabant, with several other foreign princes, and an infinite number of knights of all nations, were present, and splendidly entertained. We are told, that this magnificence was intended in part to divert the melancholy hours of the king of France. After all the ceremony was over, Edward issued a proclamation, requiring all who possessed the value of forty pounds per annum, to appear before him, and take the order of knighthood: this brought such a large sum into the royal coffers, by the fines of those who chose to pay, rather than take upon them an honour attended with so much fatigue and expence, that Edward found himself abundantly reimbursed for the charges he had been at in his entertainments at Windsor: and now he made business succeed to pleasure.

Edward, taking advantage of the distracted condition of affairs in France, proposed certain terms of a definitive peace to king John, which that monarch, notwithstanding his captivity, rejected, as being incompatible with his honour as a king, or his duty as a parent. It is said, that Edward required him to do homage for the kingdom of France to the crown of England; in which case he promised to go over with him in person to that country, and assist him in quelling the factions that at that time were filling it with bloodshed and desolation, and seat him quietly on the throne. Terms like these were equally unbecoming one great prince to offer, or another, however distressed, to accept. The prince of Wales, who had conceived a great affection and reverence for John, on account of the exemplary magnanimity with which he bore his fate, never ceased to importune his father to commiserate the condition of his illustrious captive, and treat with him upon a more honourable footing. His noble endeavours at length met with such success, that Edward, suffering his humanity to get the better of his ambition, proposed articles, to which John at length consented, thinking he could not purchase too dearly (his honour saved) a freedom which might enable him to restore peace to his kingdom. A treaty was now finally concluded between them, the terms of which were, that, "in consideration of Edward's quitting all claim to the duchy of Normandy, the counties of Anjou and Maine, and the crown of France, he and his heirs should enjoy Gascony, Guienne, the Angoumois, Xaintonge, Perigord, Quercy, the Limousin, Poictou, Touraine, Calais, Guisnes, the Boulonnois, and the county of Ponthieu, free and independent of the kingdom of France: and that John, and the French nobles who had been taken with him, should oblige themselves to pay to the crown of England, by way of ransom, four millions of gold crowns," a sum nearly equal to half a million of our sterling money.

These articles were sent over to the regent of France, and by him communicated to a meeting of the states of that kingdom, by whom they were rejected with disdain, as destructive of the

* In his Essay upon Gen. Hist. vol. ii. p. 288.

honour and safety of the nation. When their dissent was signified to Edward, he was so enraged at it, that he vowed to pay the dauphin a visit in his capital as soon as the truce should be expired. To this resolution he seems to have been particularly excited by advice that the French had made so good use of the respite he had given them, as to have a vast fleet within their ports lying nearest to England.

This year was distinguished by the death of two princesses nearly related to the king of England; the one was Isabel, his mother, widow of the unfortunate Edward II. whose lust and ambition had not only proved fatal to her wretched husband, but had given rise to a long and bloody war, which brought her native kingdom to the brink of destruction: she died at the castle of Risings, on the twelfth of November, aged sixty-three years, after a confinement of twenty-eight. Of a very different character was the other illustrious lady, Joan, queen of Scotland, who also paid the debt of nature much about the same time, at Hertford, in England, whither she had come on a visit to her brother Edward. This princess was, in all respects, a pattern of conjugal affection; regardless of danger and sufferings, she divested herself of the natural delicacy of those of her sex and high rank, to participate with her husband in all the difficulties and calamities of civil war and exile, nor could ever be brought to abandon him even for a day, by all the flattering promises her brother made her. She was buried, with her mother, in the choir of the Grey Friars, now called Christchurch, in London.

Early in the spring of the year 1359, Edward received the disagreeable news that the earl of Flanders, instigated by French councils, had expelled all the English merchants residing in his territories; and had also imprisoned and put to death all the adherents of Edward in Bruges and other cities of Flanders. In retaliation for this act of oppression, Edward issued a proclamation, commanding all the French and Flemings then residing in England, to evacuate the realm by the latter end of July ensuing, on pain of confiscation of goods and bodily imprisonment.

The truce expiring at Midsummer, Edward made greater preparations than ever for an expedition into France: he sent summons to all his vassals and adherents on the continent, to be ready to receive him at Calais; and issued orders that all the military force of England should be arrayed, to attend him thither. It was not long before he had the satisfaction to hear that a multitude of knights, allured by his martial fame, and still more by the sweets of French plunder, had repaired to his standard at Calais, from Germany, Brabant, and the Low Countries, insomuch that the town was not large enough to contain the persons, or furnish provisions

for the crouds of volunteers and others that were daily arriving. To remove any inconveniencies that might arise from hence, Henry, duke of Lancaster, was sent over, about the beginning of September, with four hundred men at arms, and two thousand archers, to lead them into the field. Accordingly, having mustered all the forces, that nobleman marched out of Calais a few days after his arrival there, and advanced as far as Cerisy, on the river Somme, where he encamped, to wait the king's arrival from England*.

Every thing being now ready for Edward's departure, he appointed his youngest son, Thomas of Woodstock (although under six years of age) his lieutenant or regent in England during his absence, but under the direction of a discreet council; and, on the twenty-fourth of October, took shipping at Sandwich, from whence he passed over to Calais, with an army of one hundred thousand men, picked out of all the military force in England. He was accompanied by his four eldest sons, the Black Prince; Lionel, duke of Ulster; John of Ghent, earl of Richmond; and Edmund of Langley; with the earls of Warwick, Marche, Hereford, Suffolk, Stafford, Salisbury, and Northampton; the lords Piercy, Neville, d'Espenser, Chandois, Manny, Cobham, Mowbray, de la Warre, Grey of Codenac, Audeley, Bassett, Charleton, Fitz Walter, and many other persons of high rank and martial estimation. A fleet of one hundred ships was prepared to waft this numerous armament over to the continent, and to carry a store of provisions for them, which was the more expedient as the dauphin, well knowing he could not pretend to oppose the English in the field, had prepared to ward off a blow which he could not resist, by putting all the considerable towns into a posture of defence, and carrying thither every thing that could serve for subsistence to an army, resolved not to be drawn to a general engagement, but to suffer the enemy to exhaust their fury in the open country.

The king and his army arrived safely at Calais on the twenty-eighth of October; and, after allowing his men some time to refresh themselves after the fatigues of the voyage, on the fourth of November he marched out of Calais with all his forces, in great order, provisions of corn and all necessities for them being carried in six thousand waggon, placed and advancing between the two bodies into which he had divided his army, for the greater convenience of marching. At a little distance from that place he was joined by the duke of Lancaster, and it was resolved, in a council of war, to penetrate into the very bowels of France, without losing time in taking places in Flanders; a wise resolution, had it been punctually observed: but, after wasting the province of Picardy, and having entered into Champagne, the ridiculous passion seized him of being invested with

* In the midst of all his preparations for this expedition, Edward took care to keep up the good humour of his subjects, by every act of popularity he could devise: among others, there is one which so strongly marks the genius of his court, and the times, that we presume an account of it will not be ill received by the curious reader.

Towards the latter end of May, a solemn just was proclaimed to be held at London, for three days together. The challengers in the proclamation were the lord mayor, the two sheriffs, and twenty-one aldermen, who undertook to maintain the field against all comers. But matters were managed with such secrecy that the king personated the lord mayor; and his

four sons, with nineteen of the principal nobility in England, the sheriffs and other aldermen; being all dressed in complete close armour, on which the arms and other distinctions of the city were painted. The deceit was not even so much as suspected by the citizens themselves, who were charmed to see their magistrates acquit themselves in arms, surpassing that of the bravest knights in Europe. But they were still more charmed when, at the end of the three days, the beavers being then lifted up, they found, instead of their mayor and court of aldermen, who remained all that time concealed, the greatest personages of the court of England. Guth. Hist. Eng. vol. ii. p. 198.

the royal diadem of France in the city of Rheims, the capital of that province; and he actually appointed the bishops of London and Durham, then in the army with him, to perform the ceremony. However, when he came before the place, he found it so well fortified, and supplied with such a numerous garrison, that he despaired of being able to reduce it in the common manner; he therefore took the fatal resolution of laying before it to keep it blocked up. In the prosecution of this idle scheme he wasted that time which he might have employed to so much better advantage; and the French, in the mean time, were meditating a blow upon England, of the utmost consequence, namely, a descent there, during the absence of its sovereign. We have already observed, that they had a vast fleet ready in the ports nearest to the English coast, and particularly in those of Normandy, where they had no less than an hundred and twenty sail of stout ships, on board of which twenty thousand land forces were embarked, under the command of the earl of St. Pol. The English navy being at that time laid up, the Normans, without any difficulty, landed at Rye, Hastings, and Winchelsea, where they committed dreadful ravages: but the Londoners, and some other towns, fitting out a fleet of eighty ships, having on board fourteen thousand men, they put to sea, and soon compelled the French to quit the coast.

Edward, after trifling away three months before Rheims, found his army daily diminished by sickness, and provisions growing scarce, he was, to his great mortification, obliged to raise the siege: and, early in the spring of the year 1360, he advanced to Troyes, and, entering Burgundy, took the town of Tonnerre, from whence he continued his march to Montréal and Guillon, where Philip, duke of Burgundy, in order to preserve his country from farther ravages, agreed to pay him the sum of two hundred deniers of gold, which, according to Mr. Tyrrel's computation, was equal to about thirty-five thousand pounds sterling. This example was followed by the Nevernois, through which country Edward next advanced in his route towards Paris: and on the last day of March he encamped at Bourg la Reine, within two leagues of that city, his army taking up their quarters at Lonjumeau, Mont le Heri, Chartres, and the other towns thereabouts, as far as Corbeil: but as the king, out of reverence to the approaching festival of Easter, forbore from immediate hostilities, the dauphin employed this respite to make some overtures towards a treaty, but without any thing being agreed upon. Edward, on Easter Tuesday, the seventh of April, advanced to the very gates of the city with his army drawn up in three lines of battle, and sent, by the duke of Lancaster, a challenge to the regent to come out and give him battle, promising, that if he lost it, he would from thenceforth give up all his claims to the crown of France. The dauphin, however, had to cool a head, and too just discernment, to be braved or enticed into any step contrary to what sound policy dictated: in his present circumstances he prudently declined the challenge; and, when the lord Manny, in order to rouse his resentment, set on fire the suburbs, instead of attempting to sally out upon the aggressors,

he gave strict orders that none of the French should stir without the walls of the city; so that Edward, finding no prospect of taking it, retired into Brittany, but not without publicly declaring that he would return to the siege in July or August following, and binding this declaration by an oath not to quit France till he had brought her to his terms.

Charles, who by his wise and prudent management in this critical juncture of affairs, may be justly said to have been the guardian angel of his country, beheld nothing in Edward's retreat that could warrant the least thoughts of triumph or security to France: he was well acquainted with that monarch's determined spirit, and that the time between his departure and return would be spent in desolating the country and ruining the friends and allies of France. At the same time the neighbourhood of the capital was ravaged by the king of Navarre, who, as soon as Edward had appeared before Paris, broke out of the city, and, shutting himself up in Mante, had declared war against the regent. Thus situated, Charles thought it most prudent to send the bishop of Terouenne, with the abbot of Clugni and the cardinal de Langres, the pope's legate, to follow Edward with fresh propositions of peace, to which Edward appeared no ways averse; but when the subject came to be discussed, the king of England insisted upon having his own terms accepted, and the French commissioners being limited in their instructions, all hopes of reconciliation fell to the ground. Edward, after this made some stay in la Beauce*, from whence he designed to lead his troops to the banks of the Loire†; but when he had advanced within two leagues of Chartres‡, he was overtaken by a hurricane, which blew with such dreadful fury as seemed to threaten the dissolution of the universe: the shock of the elements, in thunder, lightning, and hail-stones of an enormous size, struck the boldest with dismay; no less than six thousand horse and a thousand foot were killed upon the spot, among whom were the lord Morley and the lord Guy de Beauchamp, eldest son of the earl of Warwick. Edward, with all his courage, was not proof against this dreadful scene; he looked upon it as a warning from Heaven to him to sheathe the all-destroying sword upon equitable terms: penetrated with these sentiments, he leaped from his horse, and, prostrating himself on the ground, with his arms out-stretched towards the church of Chartres, dedicated to the Virgin Mary, made a solemn vow to God and the Blessed Virgin, that he would instantly agree to a peace with France, if it might be had upon just and honourable terms. The tempest soon after abating, he took up his quarters at a village called Bretigny, where he ordered all the French commissioners to attend him the next day.

Such is the cause assigned by almost all historians for the pacific dispositions which Edward manifested at this time; but we cannot help agreeing with the ingenious Mr. de Voltaire, that "it is very unlikely a great king and general, like Edward, who was come into France purposely to reap the fruits of the two victories of Cressy and Poitiers, should be struck with so violent a panic by a storm of rain or hail: these phenomena being seldom known to

* The north division of the Orleanois, or duchy of Orleans.

† The finest and largest river in France, running through this

duchy and Brittany, and emptying itself into the Bay of Biscay.

‡ A large town in this duchy, about forty-two miles from Paris.

determine the wills of conquerors, or the fate of nations* :” If Edward did make any vow to the Virgin Mary, it was probably such an one as was for his own advantage, as may appear by the treaty he concluded in consequence of this event. But, indeed, the truth seems to be, that, mortified at the little progress he had made with so numerous an army, and to hide the shame of not being able to do any thing more (after the immense sums this expedition had cost his people) than destroying the open country, he was already disposed to hearken to the legate’s solicitation, and, perhaps, was glad that this event furnished him with an opportunity to shew his willingness to grant a peace to France out of pure motives of generosity.

Be this as it will, he now appointed his son, the prince of Wales, to manage the conferences on his part, and added, as commissioners under him, sir Reginald Cobham, sir Bartholomew Burghersh, sir Francis Hale, bannerets; sir Miles Stapleton, sir Richard la Vache, and sir Niel Loring, knights, with others of the king’s council: on the part of the French were the bishop of Beauvais; the chancellor, Charles lord Montmorency; lord John de Maingre, marshal of France; monsieur Aymur de la Tour, lord of Vivoy; monsieur Ralph de Ravenoué, monsieur Simon de Beaucé, monsieur Stephen de Paris, and Peter de la Charité, with many others of his council, appointed by John himself, though he was then in England. The conferences, being opened the first day of May, lasted till the eighth of the same month, when the articles of the treaty concluded on were drawn up in proper form. They were forty in number, and have been published by Mr. Rymer, and remain upon record in the Rolls of the Tower, in two counterparts. An accurate translation of them has been made by the indefatigable Dr. Brady, and have been thought of such consequence to the rightly understanding of after-events, that they have been copied entire, not only by the learned historian above-mentioned, but also by Mr. Barnes, Mr. Tyrrel, Mr. Rapin, Guthrie, and others; but, not to swell the bulk of these pages, we shall content ourselves with giving the substance of them. The preamble, or preface, runs as follows.

“Edward, eldest son to the king of France and England, prince of Wales, duke of Cornwall, earl of Chester, to all those who shall see these letters, greeting: we make you know, that, after all the debates or disorders whatsoever, moved or stirred between our lord and father, king of France and England, on the one part, and our cousin the king, and his eldest son, regent of the realm of France, and all those it may concern, on the other part, for the good of peace it is agreed, the eighth day of May, 1360, at Bretigny, near Chartres, in the manner following.”

Then come the several articles, in substance as we shall now shew.

“It was stipulated, that a cession should be made to the king of England of the fief of Thouars, the land of Belleville, the county of Poitiers, the provinces of Poitou and Xaintonge, Agenois, Limousin, Perigord, Quercy, Bigorre, Gaure, Angou-

mois, and Rouvergne, with their cities and castles, to be held by him and his heirs, in the same manner as they were held by the king of France, or any of his ancestors. That the king of England should restore all that he, or any of his predecessors, had possessed in the town of Montrueil; and that he should remain in the possession of Calais and the county of Guisnes. That the king of France and the dauphin should renounce and give up the superiority over the countries and places thus conveyed to the king of England, who should, on his part, resign all pretensions to the crown of France, the duchy of Normandy, Touraine, Artois, and Maine, the sovereignty of Flanders and Brittany, and all other claims and demands on the king of France, for any cause whatsoever, not specified in this treaty. That the king of France should be conducted to Calais within three weeks after Midsummer next ensuing, and pay three millions of gold crowns for his ransom, at different payments, whereof six hundred thousand crowns to be paid within four months after the said king’s arrival at Calais: and that the great persons taken at the battle of Poitiers should remain as hostages for the payment as well as for the delivery of Rochelle and some other fortresses †, upon John’s being set at liberty. That the dispute between Charles de Blois and John de Montfort, concerning the duchy of Brittany, should be candidly discussed, and referred to arbitration under the sanction of both kings; but, in case their good offices should prove ineffectual, neither king should take any part in the quarrel, though the sovereignty of Brittany should remain to the king of France; and John de Montfort be restored to the possession of all his lands in the kingdom. That Philip of Navarre (brother to the king of that country) should retrieve all his rights and possessions, and a general amnesty be granted to his partizans, as well as to all the adherents of both parties. That the king of France should renounce his alliance with the Scots, and Edward quit all connections with the Flemings. That all the countries, towns, and fortresses yielded to the king of England by this treaty, should be delivered into his hands within a year at farthest after John’s departure from Calais; and that Edward should, in like manner, give up the places which had been taken by his subjects, and were not comprehended in this deed of cession. That this treaty, guarantied by the pope, should be confirmed by the letters patent of John, in a month after his release; and both kings, with their eldest sons, the princes of the blood, and a certain number of their chief nobility, should engage upon oath for the performance of the articles.”

These are all the chief articles of the treaty of Bretigny, which was ratified by the dauphin at Paris, in the presence of four English noblemen; and by prince Edward, at Louviers, in Normandy, before an equal number of French deputies. But the king of England referred giving his sanction until John should be set at liberty, that the two monarchs might exchange ratifications. With this view he returned home to England, where he landed on the eighteenth day of May, at Rye, in Sussex,

* See Smollett’s Translation of Voltaire’s General History, vol. ii. p. 289.

† The names of these great prisoners were monsieur Philip of France, the count d’Eu, the count de Longueville, the count de Ponthieu, the count de Joigny, the count de San-

cerre, the count de Dammartin, the count de Ventadour, the count de Salbruche, the count d’Auxerre, the count de Vendosme, the lords of Craon, Richard Darnel (or Rual), the marshal d’Andenchain, and the lord of Aubigny. Rymer, vol. v. p. 6.

and immediately gave orders for the release of John, who was sent over to Calais, where he arrived on the eighth day of July; but France being then too much exhausted to raise at once the six hundred thousand crowns which were to be advanced as part of its king's ransom, John was forced to stay at Calais for four months*.

King Edward passed over to that place in October, in order to receive the payment then due; but as not above two thirds of the sum could be raised, he accepted of hostages for the liquidation of the rest at Candlemas. The dauphin and his council repairing to Boulogne, conferences were held on the late treaty, some clauses of which were altered by the mutual consent of the parties, and the whole, as now corrected, was ratified by both kings, in the church of St. Nicholas, at Calais, on the twenty-fourth day of October, each of them receiving the sacrament in both kinds, and swearing to an inviolable observance of the peace: in a word, nothing was wanting that oaths, confirmations, sacraments, writings, and charters could bestow towards making this the most binding as well as solemn treaty that had been concluded in any age. Peace was at the same time established between the kings of France and Navarre at Calais; but the difference between Charles de Blois and John de Montfort could not be accommodated: however, they agreed to a prolongation of the truce between them till the Midsummer following. Edward, having concluded this important negotiation, returned, in the beginning of November, to England, where the peace was celebrated with all the demonstrations of joy that a people who had so long laboured under the most grievous taxes, could shew in the pleasing prospect of being eased of their burthen.

On the twenty-fourth of January, 1361, the king convened a parliament at Westminster, to whom he communicated the articles of the late treaty, which were unanimously approved by both houses. Orders were then sent to all Edward's officers abroad, notifying the ratification of the late treaty, and strictly charging them to forbear all hostilities, and to live on the most amicable terms with the subjects of France. Nor was John wanting in the like demonstrations of sincerity and friendship; for, as soon as he arrived at St. Omer's, he ratified by his letters patent, and voluntarily swore to all the articles of the treaty, thereby shewing that no violence had been used to oblige him to swear at Calais. A league offensive and defensive was also entered into between the two kings, against all powers whatsoever, the pope excepted. There were, indeed, some difficulties arose concerning the earldom of Gaure, in Gascony, and territory of Belville, in Poictou, about which the two kings could not agree. At length, however, all the places stipulated in the treaty were delivered up to John de Chandois, whom Edward had sent over as his lieutenant in those parts, and whom he now made governor of Aquitaine. This nobleman fixed his residence at Nioft, in Poictou, where he kept a splendid court, and, by all his behaviour, shewed himself to be the worthy representative of so illustrious a master.

About this time, the soldiers who were disbanded, and the peasants who had, in the late troubles,

learned something of the art of war, formed themselves into parties in the different provinces of France, but especially beyond the Loire: a fellow, named John de Gouge, a burgher of Sens, caused himself to be declared king by these banditti, and did almost as much mischief to the kingdom by his depredations, as John had done by his misfortunes. These troubles were, indeed, partly quelled by the taking and executing of de Gouge and several of his accomplices; but his body of freebooters being joined by a number of vagrant English, Gascons, French, Brabanders, Flemings, and Germans, still committed great outrages: they gave themselves the name of the Companies, and were headed by one James Hawkwood, an English journeyman taylor. At length, John, marquis of Montferrat, being at war with the Viscontis, lords of Milan, took the Companies into his pay, and thus France was rid of these formidable ruffians. But the measure of its sufferings was not yet full, for this year the plague broke out anew in that country, and in Paris alone cut off thirty thousand souls: from whence it quickly passed over into England, and raged with equal violence in London, where, among others, it carried off Henry, duke of Lancaster, the most esteemed of all the English noblemen: he was, on account of his distinguished humanity, commonly called the Good Duke, and his death was universally lamented. He was buried by his father, in the collegiate church of Leicester, which he had founded, and where he had endowed an hospital for three hundred poor men.

John of Ghent, Edward's fourth son, had some time before been married to Blanche, the only surviving sister of this nobleman, who now became his heir; and, in right of his brother-in-law, prince John was, the following year, created duke of Lancaster. Mowbray, the first duke of Norfolk, and lord Reginal Cobham were swept away by the same destroying scourge, much about the same time.

The prince of Wales, whose thoughts had been hitherto wholly engrossed with warlike affairs, now that he saw his country was like to enjoy a lasting peace, espoused his cousin, Joan of Kent, the young and beautiful relict of the late earl of Holland. This princess was daughter of Edmund, earl of Kent, who had been beheaded in the beginning of this reign, through the intrigues of queen Isabel and her paramour Mortimer: and from her exquisite beauty she was commonly known by the name of the Fair Maid of Kent. On account of this marriage, as likewise to give every mark in his power of his esteem and affection for the prince, his eldest son, who had raised the English name to so high a pitch of glory, the king was pleased, in the beginning of the next year, 1362, to create him prince of Aquitaine†, at the same time bestowing upon him the property of many noble possessions, ceded to the English crown by the treaty of Breigny, obliging him only to pay, in lieu of all service, an ounce of gold yearly into the royal Exchequer.

In the beginning of the year 1362 ambassadors arrived at the English court from the kings of Armenia and Cyprus, imploring the assistance of Edward against the Infidels. Edward was this year

* Mr. de Voltaire observes, that John himself was reduced to such straits, as to be obliged to pay for the necessities of his household with pieces of leathern money, in the middle of which there was a little silver nail. Gen. Hist. vol. ii. p. 290.

† So that he was prince of Wales and Aquitaine, duke of Cornwall, and earl of Chester and Kent; this last in right of his wife.

almost wholly taken up in framing wholesome regulations for the good of his people: and a parliament being summoned this year to sit on the fifteenth of October, the same were confirmed and passed into laws. The principal of these was a decree, "that, for the future, in the courts of justice and in all public acts, the English language should be used instead of the French or Norman, introduced by Edward the Confessor and the first William." The other was "an act designed to restrain luxury and extravagance in apparel, by prohibiting the wear of silks, furs, and other costly stuffs*." Others were calculated to prevent the frauds and oppressions of the royal purveyors: and a general pardon was passed for all trespasses in forests, and the like offences committed by the subject. The commons, on this occasion, granted a subsidy, for three years, of twenty shillings on every sack of wool and on every three hundred wool-fells, and forty shillings on the last of leather, over and above the ancient custom: and the session broke up on the thirteenth of November, which day being the anniversary of Edward's nativity, who was now in the fiftieth year of his age, he declared he would keep it as a jubilee, and took occasion of that æra to perform many other popular acts of government, such as issuing general and special pardons without any payment of fees, recalling all exiles, and the like†. Besides these graces, which he distributed in abundance to others, he at this time created his third son, Lionel, duke of Clarence; and his fifth son, Edmund, earl of Cambridge. After having thus performed what he thought necessary for the public, and establishing the staple of wool at Calais for three years, Edward passed the remaining part of the winter in entertainments and diversions. He made a progress through several counties, attended by the principal nobility of his own court, the foreign ambassadors, and the French hostages, who partook of all the recreations that an happy and obliged people, vying with each other in demonstrations of gratitude to a beloved sovereign, could furnish on the occasion.

In the beginning of the year 1363, the prince of Wales departed for his principality of Aquitaine; fixing his residence at Bourdeaux, where he kept a royal court, beloved and respected by all his subjects, who thought themselves peculiarly happy in being governed by so great a prince. The lord Chandois, who had attended him on his landing at Rochelle, and resigned into his hands the government of Aquitaine, was by the prince appointed high-constable of Guienne.

It was about this time that Peter de Lusignan, king of Cyprus, came into England, after having visited most of the European courts, in hopes of engaging the Christian princes in a crusade against the Turks, who began to grow formidable in the Lesser Asia, and for the recovery of the Holy Land out of the hands of the Saracens, much weakened by a late pestilence. The pope supported his instances in all places, but the fury for such expedi-

tions was now abated, and all that Peter could obtain from the imperial and other courts, was either a grant or promise of supplies in money. On his arrival here he found Edward too wise a prince to embark in a romantic undertaking, which, far from promising the least benefit to Christendom, could not be carried on but at the expence of an infinite number of Christian lives. Happy had it been for John of France, and his kingdom, had he thought thus justly; but that weak though upright prince, by a ridiculous superstition, ascribed all the misfortunes which had befallen himself and his realm, to the non-performance of the vow which his father, Philip de Valois, had formerly made to go upon the like crusade; and therefore, regardless of the distracted state of his kingdom, took the resolution of supplying his defects, and accordingly, on Good Friday, the thirty-first of March, this year, solemnly took upon him the cross, and was, by Urban V. (lately promoted to the papal throne), declared general of all the Christian armies engaged in the crusade. Soon after John had entered upon this romantic project, the king of Navarre began again to stir up new designs against the crown of France, on account of his pretensions to the duchy of Burgundy.

The French princes which had been left as hostages with Edward, for the payment of John's ransom and the performance of the other articles in treaty of Bretigny, began now to grow impatient of their confinement, notwithstanding that Edward used every means to make it sit as light upon them as possible; and, from the situation of affairs in their own country, saw little hopes of recovering their freedom: in short, such was their impatience, that the duke of Anjou, one of John's sons, broke his parole, and made his escape to Paris. This unjustifiable act, together with the refusal of the dauphin and the French nobility to ratify the engagement, for which the other hostage princes were detained, was extremely displeasing to John, one of the most punctual princes of his time, as to matters of honour; he therefore took the generous resolution of going over to England, in order to atone for the duke of Anjou's breach of faith, and to endeavour to obtain some mitigation of the terms which his subjects were unable to fulfil. His ministers in vain tried to dissuade him from this resolution, which they treated as idly romantic and destructive of the interests of his kingdom: he put a stop to all their remonstrances, by a saying worthy to be had in eternal remembrance, telling them, "That though good faith was banished out of the rest of the world, it ought still to be found in the breast of princes; and as the performance of the articles of that treaty was the condition on which he had received his liberty, he was resolved, at all events, to see them executed." Accordingly he came over to England a little before Christmas, 1363‡.

When Edward heard John was arrived at Dover, he sent his sons with a great retinue of nobles, to

* This act was doubtless intended to encourage the home consumption of wool.

† It was from the jubilee then instituted, that the famous custom took its rise, of our kings, or their almoners, washing, feeding, and cloathing, on Maundy Thursday, as many poor people as they are years old. Polyd. Virg. lib. xix. The term Maundy (or, more properly, Mandy, from the Latin word Mandatum, a Command), is given to the Thursday before Easter, from our Saviour's charge to his disciples of celebrating

his supper.

‡ Sir Richard Baker, and some other modern historians, have attempted to diminish the merit of this honourable behaviour, by alleging that John was in love with the countess of Salisbury, an English lady of great beauty, to whom he wanted to pay a visit. But, besides that this suggestion is supported by no historical authority, it is entirely destitute of the least shadow of probability, as that prince was then approaching near to his sixtieth year.

receive him, and conduct him to London, where he paid him all the respect due to his rank and merit. The kings of Scotland and Cyprus, who were then in England, made his reception the more splendid: the former was come on a visit to Edward; and the latter, as before-mentioned, to solicit his aid against the Infidels. Edward took a pleasure in entertaining his illustrious guests with all possible magnificence, and procuring them all the amusements he could think of. This is the celebrated period when sir Henry Picard, citizen and wine-merchant, then lord mayor of London, invited the four kings, with their retinues, in the name of the city, to feast at his house*, where he provided a magnificent entertainment for them. King John was lodged in the palace of the Savoy, where he had before resided, and was there royally entertained at the king's expence. About the middle of March following, three months after his arrival in London, he was seized with a distemper, of which he died on the eighth of April, 1364, to Edward's great grief, who had a singular esteem for him, on account of his many virtues, which, however great, must still be confessed to have been more suitable to a private station than to the exalted rank which he held†.

It is now necessary that we should take a view of the affairs of Scotland. David Bruce, who, by the death of Edward Baliol, which happened in some part of this year (1364), without issue, was become indisputably the rightful king of Scotland, was now at Edward's court, soliciting the release of part of his ransom. David's late queen had died without leaving any issue, and he having soon after married a private gentlewoman, put her, with disgrace, childless from his bed. Edward, to turn this circumstance to his own advantage, offered to remit the ransom, provided he would settle the crown upon the royal family of England, in case he should die without children. David, in order to gain time, seemed to relish this proposal; and, according to the Scottish authors, proposed the matter to his parliament, who rejected it with indignation. This did not, however, discourage Edward from prosecuting his scheme; and, in order to reconcile the Scots to his succession, he proposed a federal union of the two nations, on terms which shew the great importance the government of England thought such an event would be, towards establishing peace and good harmony between the two nations; at the same time that it was fraught with many and great advantages to the Scots themselves, by making them a free and independent people, with full security in all their rights, both ecclesiastical and civil, under the protection of the most powerful monarch in Europe: but the inviolable attachment of the Scots, in those days, to hereditary right, and the keen resentment they had conceived against Edward, by whom their country had suffered so much, seem to have outweighed every other consideration, insomuch that when their ministry proposed these terms to their parliament, they were rejected with the utmost indignation, without their being suffered to come even to a vote. As these

terms have never yet appeared in any English history, except that of Mr. Guthrie, and as the reader may not be displeased to compare them with those on which, many years afterwards, the incorporate union, which at present happily subsists between the two nations, was concluded, we shall insert them here, from the above-named author.

“The whole instrument, or, as it is called, the indenture, is very cautiously introduced, as not being a thing finally concluded or settled on either part, but as heads of propositions, which, by the grace of God, were treated of, in order to bring about a firm peace between the two nations: That for this purpose the king of Scotland should propose to the community of his subjects, that, in case he himself should die without heirs of his own body (which God forbid, says the record), they would agree that the king of England, and his heirs, should succeed him on the throne: which if they could be prevailed upon to do, in that case the king of England, as an equivalent for so great a concession, was to undertake,

“I. That he should forgive and for ever discharge the whole sum still due for the ransom of King David.

“II. That he should instantly surrender and give up to king David, and the crown of Scotland, all the towns and territories formerly possessed by king Robert Bruce; particularly the town, castle, and county of Berwick; the castle of, and neighbouring country to, Roxburgh: the castles of Jedburgh, Lochmaben, &c.

“III. That he should give full satisfaction, and equivalent estates in England, to the earl of Athol, and the lords Beaumont, Piercy, Ferrers, Talbot, &c. for their claims and former possessions in Scotland‡.

“IV. That he should restore to king David all the rights, dignities, and territories (viz. the counties of Northumberland, Cumberland, Westmoreland, Huntingdon, palatine of Chester, &c.) his ancestors and predecessors had ever enjoyed in England; provided, nevertheless, that he, and his heirs, kings of Scotland, should do homage for them only, and not at all for the kingdom of Scotland itself, to the king of England and his heirs.

“V. That in all events the name, title, and dignity of the kingdom of Scotland should be honourably and inviolably preserved, without union [they meant an incorporate one, no doubt] or annexion to that of England; and that, for this effect, the sovereign of both should be styled the Kings, in the plural number, or otherwise, the king of England and Scotland.

“VI. That the said sovereign, after being crowned king of England, should come afterwards and be crowned king of Scotland at Scone, in the marble chair, which should forthwith be transported from London to Scone.

“VII. That he should keep his Scottish parliaments within the bounds of Scotland, and no where else.

“VIII. That, at his coronation, he should swear to maintain the church of Scotland free and inde-

* Which stood over against St. Martin's church, at a place called the Vintry. Stowe's Survey. Barnes. Rapin.

† This year is remarkable for the death of the duchess of Clarence, wife to prince Lionel, Edward's third son, who left behind her one only daughter, Philippa, afterwards married to Edmund Mortimer, earl of Marche, whose son, Roger, left

another only daughter, Anne, who was married to Richard, earl of Cambridge, whose son Richard, duke of York, became afterwards, in her right, a competitor for the crown of England. Sandford's Genealog.

‡ See p. 554 of our History.

pendent of all archbishops and others whatever (the fee of Rome only excepted), as also the laws and statutes made by the good kings of Scotland; and should call, nor suffer no Scotman to be called out of the kingdom of Scotland, to any judicatory in being.

“IX. That he should suffer no ecclesiastical dignities nor revenues within Scotland, to be conferred on any but Scotsmen.

“X. That all temporal dignities and places of profit, such as those of chancellor, chamberlain, judge, sheriff, provost, bailiff, guardians of towns or castles in Scotland, should be entrusted with none but Scotsmen.

“XI. That all prelates, earls, barons, and freeholders should be maintained in the rights and privileges they then enjoyed.

“XII. That the earl of Douglas should be restored to the lands enjoyed by his father and uncle in England.

“XIII. That none of the grants made by the late king Robert Bruce, or the present king David, or any of their predecessors, should be recalled.

“XIV. That the merchants of Scotland should have full liberty of commerce and trade with the English; and that they should not be obliged to go any where, not even to Calais (then the staple-port of English wool), but might purchase wool in England itself, upon paying only half a mark for one sack of it.

“XV. That the sovereign, wherever he should chance to be, should always have with him a council of Scottish peers and lords, for the direction of Scottish affairs.

“XVI. That he should impose no taxes upon Scotland but such as had been paid to, and exacted by, the best of the Scottish kings.

“XVII. That he should not oblige the Scots to serve in the wars otherwise than was usual before, nor to keep the field at their own charges above forty days at a time; and if the exigency of affairs required any of them to continue longer in the service, they should be paid out of the Exchequer, agreeable to their ranks and quality.

“XVIII. That as often as the sovereign should be crowned at Scone, the articles of this agreement should be read to the king and people, and the former should take an oath to keep them inviolable.

“XIX. Lastly, That the king of England was willing to grant, by advice of his counsellors, whatever the three communities of the kingdom should ask, for their farther security and satisfaction*.”

But the disappointment Edward experienced in this affair, was made up to him in other respects, his good fortune not only shedding its influence on himself and his subjects, but also on his allies; for this year, John de Montfort, his son-in-law, gained a prodigious victory at Auray, near Vannes, over his competitor, Charles de Blois (who some time before obtained his liberty, on paying his ransom, and had renewed the war in Brittany with great fury), who lost his life in the engagement. This victory decided the quarrel about the succession of Brittany, which, by a treaty concluded at Guerade, was now assigned to John de Montfort, who did homage for it to the king of France†.

In January, 1365, a parliament was held at Westminster, which granted a subsidy for three years on wool and leather; and enacted a statute against provisors, reservations, citations to Rome, and other papal usurpations. At the same time the commons requested that the staple of wool might be brought back from Calais to England, and be fixed at Weymouth (in Dorsetshire), or Ipswich (in Suffolk); and that all merchants and others might reship wool at Lewes (in Sussex) and other places: they also requested that the duty of three shillings and four pence, laid upon every sack of wool at Calais, and some other imposts thought burthensome and unreasonable, might be taken off: to all which petitions Edward, with a readiness that did him honour, and gained him, if possible, an increase of affection among his subjects, gave his assent. He also issued an edict for the apprehending and bringing to justice a number of robbers and lawless banditti, that infested the kingdom, consisting chiefly of soldiers that had been disbanded at the conclusion of the peace: and that these delinquents might be more easily and speedily brought to trial, he enlarged the judicatory powers of the city of London. He next applied himself to the removal of another evil with which his subjects were afflicted, namely, the corruption of the judges. The lord chief-justice, sir Henry Green, and sir William Skipwith, one of the judges, were, for their partiality and extortion, imprisoned, heavily fined, and rendered incapable of bearing any public employment. Among other excellent regulations of this great king, we find the following proclamation in Rymer, which merits our notice on account of its singularity, and as being a proof that Edward suffered not the least thing to escape his attention, that tended to the welfare of the state. In this proclamation he complains that the art of archery, which had been of such infinite service to this kingdom, was now falling into decay, by the people applying themselves to throwing of stones, sticks, and other missiles; to hand and foot-ball, cock-fighting, and other useless exercises: he therefore orders his sheriffs to prohibit all such, and to oblige his people to resume the use of the bow and arrow. This shews that small-arms, or even artillery, if known in his time, were not come into any degree of use or estimation; and, indeed, the same inference may be justly drawn from the total silence of all the cotemporary authors at this period, in none of whose writings we meet with any description of either.

This year the king gave his eldest daughter, the lady Isabella of England, in marriage to Ingelram de Guisnes, baron of Coucy, a French nobleman of great rank and estate, whom, on this occasion, he created earl of Albemarle, a French title.

Pope Urban V. incensed at the proceedings of the last parliament, in circumscribing the authority of the papal see, sent a legate to the court of England, in the beginning of the year 1366, to receive the tribute of a thousand marks granted by king John to the church of Rome, and to demand the arrears since the year 1333, and a regular payment of it for the future, threatening to prosecute the king and kingdom in case of a non-compliance. Edward, upon receiving this notification, im-

* Guth. Hist. Eng. vol. ii. p. 215, 216.

† This event was so much to the satisfaction of Edward, that he determined to leave some lasting memorial of it to posterity,

by making the pursuivant of arms, who brought the news of the victory and consequent treaty, a herald, by the name of Windsor Herald, which title continues to this day. Froissart. Tyrrel.

mediately

mediately gave orders for the parliament to assemble; which being met, on the fourth day of May, they were acquainted with the pope's demand, and required, in the king's name, to give their advice touching the same. They did not make their sovereign nor his holiness wait long for their resolutions, but returned such an answer as became a free and independent people. They declared, "That forasmuch as neither king John, nor any other king, could bring this realm and people into such thralldom and subjection, but by their general consent in parliament, which was not done; therefore, what he did was against his coronation-oath; and moreover, that he was notoriously compelled by the necessity of his affairs, and the iniquity of the times, besides many other reasons: if, therefore, the pope should attempt any thing against the king, by process or any other way, that then the king and all his subjects should, with all their force and power, oppose and resist the same." This firmness of the parliament caused the pope to desist; and had not only a present good effect, but prevented the kings of England from being ever after troubled upon that subject. Not content with these spirited resolutions, the parliament likewise deprived the court of Rome of all power to decide in point of differences between the two universities, the same being entirely left to the king, with the advice of the lords spiritual. During this session the baron of Coucy, earl of Albe-marle, was created an English peer, by the title of earl of Bedford, with a pension of one thousand and thirty marks per annum.

The prince of Wales had now lived near three years in his principality of Aquitaine, without having any opportunities of exercising his valour, and, indeed, without any prospect of doing it for a considerable time. On a sudden, however, he was called forth from this state of inactivity by an event which must lead us to a country distant from France and England, I mean Spain.

Pedro, king of Castile, surnamed the Cruel, had filled his kingdom and his own family with murder and bloodshed; he had imprisoned his wife, Blanche of Bourbon, sister to Charles V. now king of France, and soon after put her privately to death, in order to make way for his marriage with a favourite mistress. His father, Alphonso XI. had at his death left seven natural children, to most of whom he had bequeathed large possessions, which marked them out the victims of Pedro's cruelty and avarice: he had already put to death several of them, when Henry de Trastamare, one of the brothers, dreading the fate which had attended the rest, took up arms against the tyrant, and engaged in his interest Charles of France, who was pleased to have an opportunity to revenge the death of his sister, and accordingly raised an army, the command whereof he gave to John de Bourbon, count of la Marche, the queen's cousin-german; and Bertrand du Guesclin, a Breton gentleman, and famous for his military exploits, was appointed a general in this expedition. With this assistance the count de Trastamare marched into the heart of Castile, where he was, upon his arrival, joined by almost all Pedro's subjects; and that bloody tyrant finding himself thus deserted, was glad to escape with the safety of his own person, and Henry de Trastamare was made king in his stead. At first he sought an asylum in Portugal, but being denied entrance there, he re-

paired to Bourdeaux, to implore the aid and protection of the prince of Wales. That prince, prompted by the benevolence of his own heart to assist a dethroned monarch, or apprehensive of the consequence of France's acquiring such a powerful ally as the king of Castile, or, lastly, excited by his own active and aspiring spirit to display his talents, engaged to support Pedro; who, in order to bind him the more firmly to his interests, made several valuable concessions to the prince and his heirs, of honours and territories in Spain: but the great difficulty was, how to raise an army sufficiently powerful to withstand the united forces of France and Castile. Both the prince's troops and those of his father had been for some time disbanded, and there was little prospect of getting together any considerable force in due time. It was therefore resolved that the prince should take into his pay the Companies, as they were called, who had by this time returned from Italy, and being all of them soldiers of fortune, and most of them either French or English subjects to king Edward, and commanded by two English knights, sir Robert Knolles and sir Hugh Calverly, readily listened to the proposal, charmed with the prospect of new plunder, and to serve under a prince whom they loved and esteemed. The prince of Wales had previously wrote to the king his father, for leave to engage in this expedition, which he obtained, together with a reinforcement of four hundred men at arms and the like number of archers, who were sent from England to him, under the command of his brother, John of Ghent, duke of Lancaster, which, when added to his other English and Gascon forces, composed a formidable army.

Thus reinforced, prince Edward, accompanied by Pedro, began his march, about the latter end of February, 1367, and, passing the Pyrennees in three divisions, consisting each of ten thousand horse, that marched within a day's distance of one another, arrived in the neighbourhood of Pampe-luna, where he was abundantly supplied with provisions and necessaries by the king of Navarre, with whom he had made a treaty for that purpose, and who, with his accustomed faithlessness, had deserted the cause of the king of France to side with his enemies. He then advanced towards the confines of Castile, on the frontiers of which he made himself master of Salvaterra; and, holding a general muster, he found his army consist of about thirty thousand men. Here he learned that Henry de Trastamare, with a force more than treble that of his own, was waiting for him at San Miguel, where he expected to be daily reinforced by four thousand men more, under Bertrand du Guesclin.

While both armies were waiting for a favourable opportunity to engage, the king of Navarre was taken prisoner by a French party: this was generally thought to have happened through his own consent, to avoid fulfilling his farther engagements with the English, and thereby drawing upon him the resentment of the opposite party, if they should prove victorious.

Henry de Trastamare being at length joined by du Guesclin, vain of the superiority of his numbers, called a council of war, in which he proposed to march instantly towards the prince of Wales, and give him battle. Du Guesclin, and all the old officers were against this proposal, and advised him rather to keep upon the defensive, than venture

ture a pitched battle with a general, whose schemes had always been concerted with prudence, and whose valour generally ensured them success. This wholesome advice, however, he rejected with disdain, as implying a distrust of his own bravery, and that of his troops, and without farther delay he passed the Ebro, and pitched his camp near the village of Najara. He was soon followed by Edward, who likewise crossed the same flood, and posted himself in the neighbourhood of Navarette, a few miles distant from the Spanish camp.

Both armies now prepared themselves for battle, and, on the third of April, a most bloody engagement began, which ended in the total defeat of the Spaniards, notwithstanding that both Henry and du Guesclin did every thing that could be expected from brave warriors and consummate generals: no less than six thousand of the Spaniards were left dead upon the field, and a much greater number would have fallen had not the prince of Wales put a stop to the pursuit. The victors found their toil rewarded by an immense booty. As to the loss of the English, it was very inconsiderable: Pedro who seemed on all occasions as ingenious in deserving the infamous epithet he bore, as other princes to acquire an opposite character, proposed to murder all the prisoners in cold blood, but was diverted from that barbarous purpose by the prince of Wales, who represented to him, "that cruelty to the subjected was only arming them with despair." All Castile now submitted to the conqueror; Pedro was again placed on the throne, and Edward accomplished this enterprize with his usual glory and good fortune. Nevertheless, as one of our modern historians has very justly observed, "his engaging to restore such a monster of cruelty and injustice to the throne from which he had been so justly expelled, was an indelible stain in that character, which had so long shone with unrivalled lustre. Cruelty (adds my author) was a vice of which, indeed, the greatest characters of that age cannot be wholly acquitted; witness the carnage, conflagrations, famine, pestilence, and ruin that attend both these illustrious Edwards in all their warlike expeditions: notwithstanding that blaze of glory by which their memories are surrounded, the candid and judicious observer will perceive that they were not the friends and fathers, but the destroyers of the human race*." But here we must beg leave to repeat an observation we have already made, in the course of these pages, that this ferociousness seems rather to have been the character of the times in which these princes lived, than that of their own dispositions, since we find them as amiable and humane in the pacific intervals of their lives, as they were dreadful and vindictive in the pursuit of military fame, or revenge on their enemies.

Pedro being again in possession of his crown, it seemed to be now time that he should think of performing his promises to his protector and restorer, and of rewarding the brave soldiers who had ventured their lives in his service; but, perfidious as he was cruel, he returned all those services with the blackest ingratitude. The prince of Wales, who now began to be uneasy to return with his army to France, in vain put Pedro in mind of the arrears which were due to his army, and the promise he had made him to defray all the expences of

the expedition, if Heaven should bless their arms with success: after long feeding him with hopes of provision and money, he gave the prince to understand, that it was impossible for him to comply with his demands, and scrupled not to hint to him, that he should be pleased if he and all his army would withdraw out of his dominions, in which case he promised to pay one half of the debt in four months, and the remainder in twelve months after. Edward justly looked upon this as a final refusal; and want having bred a mortality among his soldiers, which swept away great numbers, it was resolved at all events to return to France. Thus ended the enterprize of the prince of Wales, which was attended with a fatal consequence to England, as, during his stay in Spain, he contracted a distemper, which in a short time afterwards put a period to his life and glories, and robbed this nation of a worthy successor to the illustrious monarch by whom it was then governed. While the prince was engaged in this expedition, his consort was brought to bed, at Bourdeaux, of a son afterwards the unhappy Richard II.

It was not long before the cruel and faithless Pedro met with the reward due to his manifold crimes; for the following year Henry de Trastamare, with the assistance of the French king, having assembled an army, re-entered Castile, and made so great a progress, that he was soon in a condition to invest Toledo, the capital of the kingdom, from whence he forced his infamous brother to retire, who shut himself up in the castle of Montiel, where, being taken prisoner, Henry, enraged at his cruelties, put him to death with his own hands, and was raised to the throne of Castile, which he transmitted to his posterity. It is now time to return to the affairs of England.

While the prince of Wales was employed this year in Spain, England was threatened with an invasion from Denmark, the people of that country continuing the same lawless roving race they had been in former times. Their fleet, however, being encountered by an English squadron, was beat, and one of their best ships, on board of which was the high-steward of Denmark and several other noblemen of that country, taken and sent to London, where they were kept in close confinement.

This year a treaty of marriage was concluded between prince Lionel, duke of Clarence, and Violante, or Yolante, daughter to the duke of Milan, on conditions extremely advantageous to the prince, as he was to receive for his bride's portion two hundred thousand gold florins of Florence, or about seventy thousand pounds sterling (that coin being then, says Mr. Anderson, better than one third of the pound sterling), together with the cities of Mondovi, Alba Pompeia, Claraschi, and Cunci, with all their territories and appendages†.

As to the affairs of Scotland, they remained nearly upon the same footing as when we last took a review of them. Edward had not been able to bring the Scots to relish the most distant proposal or view of a federal union with England; he therefore began to grow very pressing with David for his ransom, with all the penalties incurred by his non-payment. At length, commissioners on both sides were appointed to meet at London, and treat

* See Smollett's Hist. of Eng.

† Rymer's Fœdera, vol. vi. p. 547.

of a fresh agreement. After some conferences, both parties assented to the following terms:

I. That in regard the king of Scotland and his subjects had failed in their annual payments, they should now, to avoid the penalties thereby incurred, become debtors to the king of England for the sum of one hundred thousand pounds sterling, to be paid by equal payments within the space of twenty-five years.

II. That during the said space of twenty-five years, there should be a truce between the two kingdoms, unless either or both kings should rather chuse to renew the war. But, however,

III. The truce concluded at Berwick, on the third of October, 1357, should be prolonged till Candlemas, 1370; during which time means should be used towards bringing about a final peace.

IV. But in case the king of England should chuse to renew the war, then the present obligation given to him for the sum of one hundred thousand pounds should be null and void. Besides, the said king of England shall give notice to the king of Scotland of his design of renewing war, half a year before he begins it.

V. And if the king of Scotland shall chuse to renew the war, then he shall give the like notice to the king of England, and nevertheless be obliged to pay the whole sum of one hundred thousand pounds sterling.

This treaty was afterwards ratified both by Edward and David; and the latter, as appears by Mr. Rymer's Collections, was very punctual in his payments.

Edward III. has hitherto appeared on the theatre of the world as the most formidable of princes. Had he finished his course at this period, it would have been difficult to find an instance of a more glorious reign: but his latter years will present us with a very different scene than that which we have beheld. A revolution, of which I am going to speak, robbed him, before his death, of all his glorious conquests; and losses and vexations of a private nature concurred to embitter his last moments.

The prince of Wales had expended such large sums of money in his late fruitless enterprize, that, after his return to his principality, about the beginning of the year 1368, he was obliged to call an assembly of the states of Aquitaine, and to demand a tax called fouage, or chimney-money, in order to pay the arrears due to his troops. Some of the noblemen submitted to this imposition, though not without extreme reluctance, but the rest absolutely refused to comply: they said, "it was an unprecedented tax; that it had never been demanded by the French court; and was absolutely contrary to the prince's oath, who had sworn to keep and maintain all their lands and lordships free from such duties:" nevertheless, not to exasperate the prince too far, they offered to take farther advice, and return on a fixed day to the assembly with their answer. This, however, was no more than an artifice to gain time; for, instead of returning to the assembly, they immediately went to Paris, and entered an appeal against the proceedings of the prince of Wales before the king of France, as sovereign lord of the fief.

We have already observed, that the late king John was particularly tenacious of his word, and punctual in the performance of his agreements: Charles V. his son and successor, whom the French

surname the Wise, was not of so scrupulous a disposition. He was no sooner seated on the throne, than he tried to evade what remained unexecuted of the treaty of Bretigny, and which he had probably consented to only with an intention to break the first opportunity. Accordingly, he received this appeal of the Gascon nobility with great inward satisfaction, though he affected a mighty tenderness with regard to the treaty of Bretigny, which he promised to review, in order to see if he might, without, infringement of the same, take cognizance of this affair.

It had been stipulated in this treaty, that the king of England should renounce all claim to the crown of France, and to the provinces of Normandy, Maine, and Anjou; and that John, the then king of France, should, on his part, resign all title to the homage of Guienne and the other provinces ceded to the English; but when the treaty was ratified and confirmed at Calais, it was found necessary, on account of some points in the feudal law, that the mutual renunciation should for some time be delayed; and it was resolved that in the interim these claims should lie dormant: Charles therefore, on pretence of the non-performance of these renunciations (though the neglect had been notoriously owing to himself) resolved to revive his claim of superiority, to consider himself as the lord-paramount, and to receive the appeal of his vassals. But, that his proceedings might carry some face of justice, he gave orders for the meeting of a great council of the peers and civilians of his kingdom, in which the request of the Gascon barons was fully canvassed; and the treaty of Bretigny, with all its subsequent acts, read over and considered.

As not only Charles's own inclinations, but those of all his council were actually averse to the English, on account of the rigorous terms they imposed on the French nation, and the pride and parade of their triumphs, it was no hard matter for them to find "that the said treaty was void by the violations thereof on the part of the English, in not making the necessary renunciations, which were considered as the soul of the treaty;" and matters returned to the same footing on which they were before the treaty was made.

Charles, however, did not care to come to an open breach with Edward, till he had secured himself by a fresh alliance with Castile, the earl of Flanders, and the princes of Germany. Accordingly, on the thirtieth of November this year, a treaty was concluded with Henry de Trastamare; by which it was agreed to stand by one another against all persons whatsoever, especially the king of England, with whom, if the king of France should declare war, Henry obliges himself to furnish out double the number of ships that Charles should galleys, or an equal number of galleys with those fitted out by Charles. We shall now leave the continent, to take a view of what passed in England in the course of this year.

Lionel, duke of Clarence, Edward's third son, went early in the spring to take possession of his bride and her fortune, attended by a splendid train of young noblemen, and arrived safely at Milan: here the nuptials were celebrated in the most magnificent manner; but the entertainments so lavishly bestowed by this young prince, hastened his end; five months after his marriage he died in Monferat, in the thirty-second year of his age.

In the beginning of May, a parliament met at Westminster, when the king laid before the two houses an offer made him by David Bruce, king of Scotland, viz. "That he was willing to engage in a perpetual peace with England, if he might freely enjoy to himself and his heirs the whole realm of Scotland in fee, without any subjection or vassalage, which might be deemed a perpetual reproach to that kingdom." The house having deliberated upon this affair, the lords and commons giving their opinions separately, declared, "The said offer could not be accepted, inasmuch as it was utterly contrary to the oath they had taken, to give the king good advice, and never to consent to the disherison of him or his crown."

At the same time, to give a proof of their attachment to, and affection for, their sovereign, the lords and commons voted a supply for two years, of thirty six shillings and eight pence out of every wool-pack, as much for every twelve score of fells, and four pence for every last of skins or leather, besides the old custom.

Edward had, from time to time, in the course of this year, received letters from the prince his son, acquainting him with the behaviour of the Gascon lords, whose long stay at the court of France gave him some suspicion, and warning him that something was in agitation, at Paris, against himself and kingdom; but the king and council imagining that the warlike prince, tired with an idle life, sought occasion to renew the war, paid no regard to his remonstrances: and, indeed, Charles, the whole of whose conduct upon this occasion was that of insidious policy, had found means to intrigue so well at the court of England, as to take from Edward all suspicion of his designs, which did not appear in their true colours till the beginning of the following year, when Charles, had made all the necessary preparations for carrying his scheme into execution.

On the twenty-fifth of January, 1369, he sent the prince of Wales a summons "to come to Paris in proper person, and there shew and present himself before the king of France, in his chamber of peers, to answer to the complaints made against him by the vassals of France."

The prince's great spirit was fired with indignation at receiving this summons: he told the messengers, "that he would come to Paris, agreeable to his cousin Charles's kind invitation; but it should be with his helmet on his head, and sixty thousand men at his back." The prince immediately gave his father notice of this citation; but Charles was so little distinguished for his military talents, that Edward could hardly be brought to think that monarch had actually formed the design of engaging in such a dangerous enterprize. This unaccountable delusion of Edward reduced the prince of Wales to great distress for want of the necessary supplies, who had no other force to depend upon but the lord Chandos, the capital de Buche, and a few other friends who had an inviolable attachment to his person.

The first hostility committed on the part of France, was by the count of St. Pol and sir Hugh de Chatillon, who surprized the town of Abbeville; after which they made themselves masters of all the earldom of Ponthieu, with all the English civil and

military establishments therein, and all this in a manner without striking a stroke.

The dukes of Berry and Anjou, brothers of Charles, fell upon the southern provinces, and, being assisted by the famous du Guesclin, they daily gained some advantage over the enemy. These successes were followed by a letter of defiance sent from Charles to the prince of Wales. The elder Edward now foresaw that he had lost in a moment what might cost him years to recover; and the rapid progress of Charles threatened no less than the total extinction of the English name and power in France. But a still greater loss was then impending, namely, that of the great prince of Wales, whose health was now in such a languishing state, that he was incapable of mounting on horseback, or of exerting his usual vigour. Though thus beset with disappointments and calamities, Edward still kept his great spirit unbroken, nor was wanting in every necessary measure to counteract the designs of his enemy. He assembled a parliament in June; and, after having explained the unjustifiable conduct of Charles, desired the archbishops and prelates to consider whether he might not re-assume the title and arms of France, which he had discontinued in consequence of the treaty which his enemies had so shamefully violated: which being answered in the affirmative, he resumed them accordingly, and ordered the great seal to be altered. An extraordinary subsidy was granted upon skins and wool by the lords and commons, who promised to stand by him to the utmost, in the prosecution of the war with France. The lords Piercy, Neville, and Windsor set out for Ponthieu, with a reinforcement for the defence of that province. They were quickly followed by the earls of Cambridge and Pembroke, the one Edward's son, and the other his son-in-law, with some troops, consisting of five hundred lances and one thousand archers, who, having obtained leave from the duke of Brittany to march through his territories, landed at St. Malo's, and arrived at the prince of Wales's quarters in Angoulême*, at the time when he was joined by sir Hugh Calverly, now returned from Spain with six thousand of the English Companies. These reinforcements enabled the prince to carry the war pretty briskly on in the countries bordering upon the Loire, though his indisposition, now a confirmed dropsy, would not permit him to act in person. It now began to be a stirring time; the French were repulsed in their attempts upon some places: and the viscount de Fiennes, with twenty thousand men, was defeated by sir Guichard de l'Angle, whom the prince of Wales had sent to command in that part of the country. On the other hand, the English lost the important city of Cahors, the capital of Quercy, together with fifty other cities and towns in that neighbourhood. The counts of Perigord and Cominges took Roanville, a strong town in the county of Quercy, and put the English garrison to the sword. Sir Robert Knolles, who, on account of his great services to the Montfort family, had by them been rewarded with a noble estate in Brittany, now offered his service to the prince of Wales at Angoulême, which was very readily accepted by the former, who gave him the chief command of the English in those

* The capital of the government of Xaintonge and Angoumois; situated sixty-four miles to the south-east of Rochelle, on the river Charente.

parts: and being soon after joined by the lord Chandois, in Quercy, the prince of Wales gave those two generals orders to attempt the taking of Roche sur Yon, an important place in the Lower Poitou, which they accordingly did; and made themselves masters of the place, partly through the cowardice and treachery of the governor, who was afterwards, by order of the duke of Anjou, tied up in a sack and thrown into the sea as a traitor. These few advantages of the English were, however, very trifling if compared with the general defection of the people from their governor, and the daily disposition they manifested of revolting to the king of France, whom they looked upon as their natural sovereign, and who had, by a solemn sentence in the parliament of Paris, declared Edward of England (so he styled the king) and prince Edward his son, and all their adherents, traitors.

The breaking out of this war was so little expected by the king of England, that he had formed no alliances against the enemy; he now applied to several foreign powers for this purpose, but with little effect: he, indeed, found means to conclude a league with the king of Navarre; but this irresolute and selfish prince receded from it soon after it was made, and, tempted by the offers of his cousin of France, embarked in his interests. On the contrary, Charles, whose designs had been deeply and wisely laid, had already secured to himself many useful connections, in particular that of Henry de Trastamare, now king of Castile, already taken notice of. This monarch was very punctual in furnishing his naval complement, which, joined to the fleet of France, composed a very formidable armament. This encouraged Charles to form the design of an invasion of England: but Edward shewed himself provident in all quarters; he ordered a fleet of observation to the Channel; a body of archers was sent down to guard the borders of Scotland; and a considerable force transported to Ireland, under the command of the lord Fauconberg: but his chief attention was directed to provide for the safety of the sea-coasts of England lying over-against Picardy, to which place Charles had been for some time drawing down the flower of all his troops. The Isle of Thanet was strongly fortified, the militia of several counties, most exposed to the danger of an hostile visit, were arrayed and stationed on the sea-coasts, and even the clergy were armed, as appears by the following extraordinary order, or proclamation, issued at this time.

“Edward, by the grace of God, &c.

“Whereas, in regard of the great danger which may happen to the realm and church of England, by reason of this war, in case the enemy should invade the kingdom, the king commands and requires all the prelates assembled in parliament, that they all appear themselves in defence of the realm, and cause their tenants, dependants, monks, parsons, vicars, &c. to be prepared for the field in a mili-

tary manner, and be ready to encounter the force and disappoint the malice of the enemies of the king and kingdom *.”

Edward, having received advice that the French navy was now assembled at Harfleur, sent an English squadron to sea, and on board it his son, the duke of Lancaster, with the earls of Warwick, Hereford, and Salisbury, the lords Manny, Ross, and many other noblemen and officers, with five hundred men at arms, and as many archers, who all landed safely at Calais. This unexpected step quite disconcerted Charles's scheme: the troops designed to be sent on board the fleet were now recalled, and put under the command of Philip, duke of Burgundy, Charles's brother, to oppose the duke of Lancaster, who was preparing to march with fire and sword into Picardy. Charles, however, had taken the wise precaution to order his brother, though vastly superior in numbers to the English, not to hazard a battle: thus the two armies lay several weeks at Tournehem, in the neighbourhood of Calais, facing each other, till the French at last decamped secretly in the night to avoid an engagement. The duke of Lancaster, finding himself thus outwitted, was obliged to return to Calais, where he made a stay of three days to refresh his troops; and then marched through Picardy to Harfleur, in Normandy, with a design to burn the French fleet lying in that port; a project which, if it had succeeded, would have given a fatal blow to the French arms: but the count de St. Pol, having gotten intelligence of the design, threw himself into Harfleur with a strong reinforcement, and thereby effectually secured that place against the danger of an assault and surprize. Thus baffled a second time, the duke marched back; but, in revenge for his disappointment, destroyed all the country in his way, and at length arrived at Calais without opposition.

Various were the adventures and fortune of the war in other parts of France. The lord Chandois, seneschal of Aquitaine, was killed in an action near the town of St. Salvine. That place having been betrayed into the hands of the French by a monk, that nobleman, in whose government it was, thought his honour was concerned to recover it from the enemy; but in the attempt lost his life†. The earl of Pembroke having, at the head of a number of forces, fallen into Anjou, was very near being taken prisoner, with all his men, by the count of Sancerre, but escaping with some difficulty, he marched to Angoulesme, where he was, by the prince of Wales's command, joined by sir Hugh Calverly, and they both together fell again into Anjou, and, attacking the strong city of Saumur, were repulsed with some loss; nevertheless, they found means to throw strong garrisons into Pont de Cé and the abbey of St. Maur, both which places being fortified, proved afterwards of great service to the English. Thus ended this year's campaign in France.

* See Rot. in Turr. Lond. 43 Edw. III. and Rymer, vol. vi. p. 631.

† The manner of this great general's death, which we find minutely related by Joshua Barnes, proves, that the vexation he was under from the loss of this important place had deprived him of that usual prudence which had accompanied every other action of his life; “for (says my author) when he advanced to engage the French, he forgot to pull down his visor, and a great hoar frost having fallen that morning had made

the grass so smooth and slippery, that, rushing on to the charge, his foot slipped, and he fell down; as he was rising again, a French esquire, named Jaques de St. Martin, observing his face uncovered by his visor, gave him a thrust with his spear, which entered under his left eye, between the nose and the forehead: the extreme anguish of this wound brought him senseless again to the ground, and, though he did not immediately die, he never spake one word after.” Barnes.

We cannot, however, dismiss this part of our history, without taking notice of an event that brought no small increase of affliction to king Edward, whose prosperity was in the wane; I mean the decease of that illustrious princess, Philippa, queen of England, who died on the fifteenth of August, at Windsor, after a long illness. This loss must have been severely felt by her royal consort, with whom she had lived for forty years in perfect union, and had brought him twelve children. Nor was this good queen lamented only by her family and relations, all ranks of people were sharers in this calamity, especially the poor, to whom she had been a generous protectress and a liberal benefactress*.

In the beginning of the year 1370, Edward found himself in such straits for money, notwithstanding the liberal supplies of his parliament, that he was under a necessity of borrowing considerable sums from merchants and persons of estates, at an exorbitant interest. This supply, however, had very little effect on his affairs on the continent, where the English interest was daily declining. The lord of Pamiers, with several other persons of quality in Guienne, were this year put to death for entering into engagements with the French king: but neither gentle methods nor the terror of punishment could retain the Gascons in their allegiance to Edward or his son. Soon after the English interest received a still more fatal blow by the court of France issuing an edict for confiscating the duchy of Aquitaine, and reannexing the same to that crown: this sentence is dated from Bois de Vincennes, May 4, 1370. Edward foresaw all the ill effects this measure must have on his affairs in France, and despairing of being able to recover the places he had lost there, he therefore resolved to take such steps as were most likely to preserve what still remained. Accordingly he dispatched sir Robert Knolles, who was at that time in England, over to Calais, with a commission to command the English army in Picardy, which consisted of fifteen hundred men at arms and four thousand archers on horseback†. This brave and skillful commander acquitted himself so well on this occasion, that, soon after Midsummer, he had advanced to the neighbourhood of Paris, notwithstanding he was closely followed by a flying army of French, who had orders to watch his motions, and harass him in his march, without venturing a general engagement. This obliged Knolles to act with great circumspection, so that the countries through which he passed did not suffer much by straggling parties of the English. When he had passed the river Seine, he learned that the king of France was in Paris, with a considerable army: sir Robert now hoped to reap a glorious harvest of fame, by drawing Charles to a battle; but that prince, to whom his people so justly gave the name of Wise (however little he might merit that of Just or Honourable), could not

be prevailed upon to take the field, well-knowing that the English fury, if left to itself, would soon evaporate for want of an object of opposition. In vain did the French nobility ply him with their remonstrances; in vain did Knolles try to provoke him to an encounter, by laying waste with fire and sword all the adjacent country under his eye: Charles remained immoveably attached to his cool and prudent maxim. The English general, on his side, had too much knowledge and discernment in military affairs to make any attempt upon Paris itself; and finding all hopes of a battle at an end, he retreated in excellent order to the borders of Anjou, where we shall leave him, to follow the war in other quarters.

All this time the prince of Wales was very hard pressed in Aquitaine: two numerous armies were formed; one, under the duke of Anjou and the famous Bertrand du Guesclin, to enter Guienne by Bergerac and la Reole; the other, under the command of the duke of Berry, to make an irruption by the way of Limoges‡. Both these corps were afterwards to join, in order to surprize the prince of Wales, and besiege Angoulême, the usual place of his residence. In consequence of the above plan of operations, the duke of Anjou and Bertrand entered the Agenois with their army, and reduced the capital of the county. The duke of Berry, about the same time, falling upon the Limousin, after taking several strong holds, laid siege to Limoges, which was very strongly fortified; but, through the persuasions of the bishop, the inhabitants opened their gates and admitted the French troops.

In the mean time, prince Edward, having received intelligence of the enemy's design, declared "that they should never find him cooped up within walls, but always ready to meet them in the field and give them battle:" and, removing from Angoulême, appointed the rendezvous of his forces at Cogniac§. The duke of Lancaster arriving about the same time, with a reinforcement from England, the two French generals, unwilling to hazard an engagement, as dreading the valour and experience of the Black Prince, weak and enfeebled as he was, dismissed their troops, and retired, the former to Thoulouse and the latter to Berry.

Edward, incensed at the late treachery of the bishop and people of Limoges, summoned them to expel the French garrison and return to their duty, on pain of seeing their town razed to the foundation, and all its inhabitants put to the sword without mercy or distinction. Confiding in their numbers and the strength of their walls, they treated his menace with contempt, and even abused his messengers. This irritated the prince to such a degree that he gave orders for his army to march directly and invest the place, causing himself to be carried in a litter, the only method of conveyance he could then bear, at the head of his

* She was buried in the chapel of the kings of England, in Westminster abbey, under a tomb of black touch-stone, with her portraiture thereon of alabaster. Among many other excellent works of charity, she contributed a considerable sum towards the building and endowing of Queen's college, in Oxford, founded A. D. 1340, by Robert Eaglesfield, her chaplain and confessor.

† The reader is desired, once for all, to attend to the following remark; that although the archers and men at arms are only mentioned, we are, upon this and all other occasions, to remember, that they commonly had foot in their corps,

though they are not mentioned, as being generally of very little service, and no better than domestic attendants or servants of the others. Voltaire, Gen. Hist. Anderson on Commerce.

‡ The capital of the county of Limousin, lying on the river Vienne.

§ Cogniac, or Coignac, the second town of Anogumois, delightfully situated on the Charente. It was the birth-place of Francis I. king of France. It is famous for its fine brandy, and lies twenty miles west of Angoulême.

forces. The prince, who had himself fortified the town, knew too well the strength of it to attempt the taking it by assault: for a month that he lay before the place he employed his men wholly in undermining the fortifications; when he had brought his work to perfection, he drew out a chosen body of his men, with whom he designed to give the assault, and then giving orders to kindle fires under the props with which the miners had supported the wall, several yards of it fell down, and with the ruins filled up great part of the ditch that went round it; the English then, setting up a great shout, rushed furiously in at the breach, opened the gates to the rest of the army, who put all they found in the garrison to the sword, with no less than three thousand of the inhabitants: the French commander was taken prisoner; the bishop, who had been the occasion of the revolt, was threatened by the prince with the loss of his head, but pardoned at the remonstrances of the duke of Lancaster. It was now too late in the year for any other enterprize; and Edward, returning to Cogniac, dismissed his forces. This was the last warlike exploit of the Black Prince, whose growing infirmities rendered him utterly incapable of appearing in the field without manifestly endangering his life.

About this time, Bertrand de Guesclin was, by his discerning master, made constable of France; and thinking that he could not signalize his entrance upon his new dignity more worthily than by encountering sir Robert Knolles, who had long been the rival of his arms, he resolved to attack that old officer, who had all this time continued on the borders of Anjou and Maine. Guesclin was principally instigated to this design by hearing that sir Robert's army was miserably rent by factions, insomuch that several of the young officers, spirited up by the insinuations of sir John Menstreworth, an English knight, whom Knolles had promoted to a considerable command in his army, had refused to obey the orders of their general to go into winter-quarters in Brittany, and separated themselves from him. Knolles, hearing that du Guesclin was upon the march to attack him, sent orders to all his troops to reunite, in order to give the enemy battle; but before this junction could be made, the constable surprized and cut off a party under the lords Grandison and Fitz Walter, two of the officers who had been at the head of the late defection, though not without the loss of the famous marshal d'Andrehem. Knolles upon this was obliged to retire immediately into Brittany, and the rest of his troops, who had not rejoined him, to shut themselves up in fortresses. The constable, on his side, dismissed his forces and returned to Paris in the latter end of the month of November: and thus ended the campaign of the year 1370. The worthless Menstreworth, who was suspected of having given intelligence to the constable, returned to England the latter end of this year; and, to save his own character, laid the whole blame of the late disaster on Knolles, accusing him at the same time of having taken composition-money from the French governors, to spare their towns: but sir Allan Boxhall, who had served in this expedition, proved the falshood of the accusation so much to the satisfaction of the king, that Menstreworth, to evade the punishment due to his crimes and black ingratitude, fled to France, and entered into the service of the enemies of his country; for which he was outlawed, and being after-

wards taken prisoner by the English, deservedly suffered death as a traitor.

In the latter end of this year died David Bruce, king of Scotland, in the fortieth year of his reign, and forty-eighth of his age, leaving his crown to his nephew Robert Stuart (or the steward of Scotland), son of his eldest sister; who, embracing the late pacific system of his predecessor, ratified the truce with Edward.

In the beginning of the year 1371, the prince of Wales lost his eldest son, Edward; the vexation of which loss adding to his malady, his physicians unanimously advised him to return to England, in hopes that his native air might restore his constitution. Accordingly, having appointed his brother, the duke of Lancaster, to act in his place, he embarked at Bourdeaux, and, landing at Southampton, proceeded, with his princess and his young son Richard, whom he had brought over with him to be educated in England, to Windsor; and afterwards took up his residence in the castle of Berkhamstead.

The departure of the prince of Wales entirely ruined the English affairs in Guienne. The constable du Guesclin, early in the spring marched to the frontiers of that country, and reduced Millaud, in Rouvergne, and Ulez, in Auvergne, taking prisoners their numerous garrisons. By the reduction of these places the French quarters became greatly extended; a great many other places, though of less importance, fell into the enemy's hands: so that, upon the whole, the event of the campaign in Guienne was highly disadvantageous to the English.

Charles having again got together so powerful a navy that it seemed to be superior to the English fleet, and to threaten an immediate invasion of this country, Edward assembled a parliament this year, on the twenty-fourth of February, to concert the most proper measures for repelling the apprehended descent: after various conferences on the subject, the lords and commons granted him an aid of fifty thousand pounds for the security of the kingdom, to be levied at a certain call upon the several parishes, the greater to help the smaller; and the convocations of Canterbury and York made a grant of the same sum for the public service. The laity had long repined at the dignities of chancellor, treasurer, clerk of the privy seal, barons and chamberlains of the Exchequer, the comptroller, and other great offices of state being commonly disposed of to the clergy, and deeming it injurious to themselves; the house now complained of it as a dishonour of the crown, and desired that these offices might for the future be bestowed only on laymen. The king returned for answer to this petition, that he would take the advice of his council, and ordain on this point as to them should appear just and reasonable. In the mean time William of Wickham, bishop of Winchester, and Thomas de Brentingham, bishop of Exeter, resigned their posts of chancellor and treasurer, the first of which was given sir to Robert Thorp, a lawyer, and the latter to sir Richard Scroop of Boulton. In the same parliament the commons presented many other petitions, amongst the rest the following one is remarkable.

“The commons affirm the decay of the navy to arise from three causes: the first, because embargoes upon merchant-ships for the king, were laid long before the said ships served, whereby the

owners

owners were compelled at their own charges to find their mariners, to their undoing: secondly, because merchants (the nourishers of the navy) are often restrained their shipping, that mariners are forced to seek out for other trades to get a livelihood: thirdly, because masters of the king's ships do take up masters of other ships, as good as themselves so that most of those ships lie still, and the mariners are enforced to seek out for a new livelihood*."

Another event fell out this year, which was attended with very unfavourable consequences in regard to the English affairs. This was the double marriage of John, duke of Lancaster, and his brother Edmund, earl of Cambridge, with the two daughters of Pedro the Cruel, late king of Castile, whom that monarch, when he came to implore the assistance of prince Edward, had brought with him, and left as pledges for his performance of the conditions agreed on between him and that prince, which taking no care to perform, and being killed not long after, the two princesses were left upon Edward's hands. The duke of Lancaster, upon marrying the eldest sister, named Constantia, who was deemed the true heiress to the crown of Castile, assumed the arms and title of king of Castile and Leon, and by that act declared himself an eternal enemy to Henry de Trastamare, who was in possession of that crown, and who, on this account, exerted all the power he was master of to ruin the English affairs in Guienne; and having entered into a league offensive and defensive with the king of France, they redoubled their military preparations, both by sea and land, in order to drive the English from their possessions on the continent. The advice of these great preparations induced the duke of Lancaster and his brother to pass over this summer, with their ladies, into England, leaving the charge of Guienne, and the other English possessions in Aquitaine, to the captal de Buche, assisted by a council.

In the mean time the English were every where beaten by the constable du Guesclin, who, after driving them out of Limousin, Perigord, and Rouvergne, carried his progress so far, that he found himself able to march into Xaintonge, and at length to lay siege to Rochelle, while a fleet, sent by the king of Castile, blocked up the town by sea. Edward received this news in the latter end of the spring of the year 1372, upon which he immediately appointed the duke of Lancaster to command a great army, which was to penetrate into France by Calais and Picardy; while the earl of Pembroke, with another on board a fleet of forty ships, was to attempt the relief of Rochelle. These were the utmost precautions that human prudence could devise for success; but, as the reader may observe, the current of Edward's fortune was now turned, and nothing had prospered with the English for some time past. When the earl of Pembroke came off Rochelle, he was attacked by the Castilian admiral Boccanegra, and, after a most obstinate engagement, the whole English fleet was totally ruined, and their military chest, in which were twenty thousand marks in ready money, to pay the army, fell into the enemy's hands; a great number of English nobility were killed, the earl of Pembroke with Guichard de l'Angle, and many other

English noblemen and knights, were taken prisoners: this action happened on the twenty-fourth of June, 1372, being St. John's day. This loss had a visible bad effect on the English affairs. The captal de Buche, who was marching to the relief of Rochelle by land, was defeated, and taken prisoner, together with sir Thomas Piercy, the second in command. The English were daily losing their towns one after another, either through weakness or treachery: in particular, Poitiers was delivered up to du Guesclin without striking a blow. Rochelle might still have held out, had it not been for the treachery of the mayor, one John Cauderriere, a Frenchman by birth and inclination, who, having found means to abuse the ignorance of sir John Mansel, governor of the castle, by forging an order from the king to make a general muster of the troops, which Mansel, not being able to read, took for real, and was thereby prevailed upon to draw his garrison out of the citadel into the marketplace, when a body of the burghers, chosen for the purpose by the mayor, made themselves masters of the deserted castle, and Mansel with his men were obliged to lay down their arms, and see the gates of the town set open to the enemy. The French king, in return for this eminent piece of service, rewarded the mayor royally, and granted the citizens such advantageous privileges, that Rochelle seemed rather to have acquired new liberty, than to have changed its sovereign †.

The loss of Rochelle was quickly followed by that of Saubionout, Marant, Surgures, Fontenai, le Comte, and other places; and Thouars was obliged to capitulate, and promise to return to the obedience of France, if the king of England, or one of his sons, did not come before Michaelmas with an army strong enough to relieve it. The Poitevin lords, who were parties to this capitulation, immediately sent deputies to the English court to acquaint Edward with the same: who being extremely anxious to relieve that town, formed a sudden resolution of going over to France in person, and ordered four hundred great ships, besides other vessels, to be got ready for transporting his troops, which were ordered to rendezvous at Sandwich, and which, when assembled, amounted to about three thousand lances and ten thousand archers, with whom he set sail from the last-mentioned port on the thirty-first of August, with his son, the Black Prince, having left his grand-son Richard, eldest son to the prince of Wales, guardian of the kingdom during his absence, with a proper council.

This expedition, however, proved equally dangerous and fruitless: Edward continued to combat the winds, which constantly refused to favour him for upwards of a month, and made several attempts to land, with the utmost hazard of shipwreck, and at last, in the beginning of October, was obliged to return and disembark his troops. In consequence of the miscarriage of this expedition, the town of Thouars surrendered to the French; as did also, in a short time after, the garrison of Niort. On the other hand, the lord Clifton having laid siege to Mortaigne, his quarters were beaten up by a party of English, and he himself narrowly escaped with the loss of all his carriages.

* Rot. Claus. 46 Ed. III. m. 12.

† The terms the Rochellers obtained on this occasion were, that the citadel of Rochelle should be demolished; that they should be allowed a mint, with the same privileges as that of

Paris; and lastly, that Rochelle should never be dismembered from the royal domain of France, either by treaty, marriage, or any other pretence: all which were secured to them by charter, in the most ample form. Froissart. Walsingham.

Edward

Edward was scarce returned to London, when he received advice of the progress made by the French; upon which a parliament was summoned to sit at Westminster, on the third of November, who granted so considerable a supply, that he found himself enabled to carry into execution a scheme, by which he hoped to repair all his late bad successes, which was to arm his son-in-law, the duke of Brittany, against Charles; but the Breton nobility, who had no inclination to see themselves and country plunged again into all the horrors of war for the sake of another's quarrel, went so far as to declare to their duke, that he must expect nothing less than to be abandoned by all his nobility, and finally to lose his dukedom, if he persisted in favouring the cause of Edward against the king of France. The duke, however, whose heart was entirely English, heeded not their remonstrances, but entered into a league offensive and defensive with the king of England; who, at the latter end of this year, sent him over a reinforcement of four hundred men at arms and as many archers, while the earl of Salisbury was ordered with a fleet to cruise off Brest.

In the course of this year died that great soldier and good man, the lord Walter Manny, and was buried in the Charter-house, which he had founded: Anne, his only daughter and heiress was married to John de Hastings, earl of Pembroke. This year also died Humphrey de Bohun, earl of Hereford, Essex, and Northampton, constable of England, the tenth male heir of that noble family: he left behind him only two daughters; Eleanor, afterwards married to Thomas of Woodstock, king Edward's youngest son; and Mary, to Henry, earl of Derby, who afterwards became king, by the name of Henry IV.

The constable du Guesclin taking the field early in the year 1373, laid siege to Sivray; routed a body of English and Gascons, who attempted to beat up his quarters, under sir John d'Évreux; and, by the middle of April, entirely reduced the provinces of Poitou and Xaintonge. St. Sauveur, in Normandy, was besieged by the French; and Bericherie, in Brittany, invested by Oliver de Clifton and other noblemen of that country, who hated John de Montfort, their duke, for his attachment to Edward, and for his having admitted English garrisons into the strong holds of Brest, Hennebont, and Quimperlé. The duke dreading the consequences of this disaffection to his person and government, which was daily manifested by fresh circumstances, thought it behoved him to seek safety in a timely retreat, and accordingly, having left his duchess at Auray, in the care of sir John Austin, an English knight, who commanded the garrison, he appointed sir Robert Knolles to act as his deputy in his dukedom, and, embarking at Conquet, got safely over to England.

About this time, William Montacute, earl of Salisbury, being appointed admiral of a fleet consisting of forty capital ships, arrived off St. Malo's, in Brittany, where meeting with seven large Spanish ships, sent to the assistance of du Guesclin by the king of Castile, the English attacked and burnt them in the harbour. This served only to increase the resentment of the Bretons against their duke: they openly charged him with having given intelligence of these vessels to his father-in-law, the king of England, and scrupled not to declare him an ene-

my to his country; and the king of France made use of this pretence for confiscating that province: the constable du Guesclin, being charged with the execution of this sentence, entered Brittany at the head of an army, where he met with such a welcome reception, that before Midsummer he was in possession of all the principal towns and places in Brittany, except Brest and two others, which as yet remained unconquered and attached to the interest of the duke. Sir Robert Knolles commanded in person in Brest, assisted by sir William Neville, a brave commander of those times, and the place was provided with all necessaries for sustaining a siege. In a short time the constable sat down before it, but as his design had been for some time suspected, the English were properly prepared for him; the earl of Salisbury, who still kept at sea with his fleet, could at any time throw succours into the place, so that the constable had reason to believe the reduction of this place would cause him much time and pains, and being too great a military master to throw away the lives of his men in fruitless assaults, he turned the siege into a kind of blockade, and then sent Oliver de Clifton, with a strong detachment, to invest the castle of Derval, belonging to sir Robert Knolles's own private estate, and a place of great strength; Oliver pressed the siege so vigorously, that sir Hugh Bright, the governor, agreed to give up the place if the garrison was not relieved in two months, giving hostages for the performance of his promise. Knolles, alarmed for the safety of his favourite castle, and depending upon the speedy assistance of the duke of Lancaster, who was daily expected from England with a great army, resolved to enter into a treaty with the constable for the surrender of Brest, by which means he might be at liberty to throw himself into Derval: accordingly it was agreed that the castle of Brest should be surrendered, if not relieved in forty days by an army, which should offer the constable battle. These terms were readily agreed to by du Guesclin, who was now lying before the city of Nantes; and hostages being delivered for the performance, Knolles threw himself, with a few chosen friends, into Derval.

The earl of Salisbury, who hovered on the coast, having received advice from Knolles of these matters, landed his soldiers in the neighbourhood, and sent a message to the constable before Nantes, importing that he was come to relieve Brest, and demanding that he would either release the hostages, or come and give him battle. The constable returned for answer, that if the earl would march to Nantes, he should find him ready to receive him under arms; but the earl being entirely unprovided with cavalry, and the distance between Brest and Nantes being upwards of an hundred miles, could not think of complying with this proposal; and therefore, after furnishing the garrison of Brest with a reinforcement of men and provisions, he put to sea again. As soon as the constable heard of his departure, he ordered the hostages to be closely confined.

The duke of Anjou, who commanded the forces that were carrying on the siege of Derval, finding that the reduction of that place would be a work of great difficulty, resolved to try what effect menaces would have on the defendants; accordingly he sent a message to Knolles, importing that no army having appeared to relieve the place, he expected

pected it to be delivered into his hands: to which Knolles replied, that the castle being his own private inheritance, the deputy-governor had no power to conclude any treaty relating to it without his consent. Upon this the duke threatened to strike off the heads of the English hostages in his hands: while Knolles, on his side, declared that he would make retaliation upon the French prisoners in his power. Both generals kept their words, with a cruel punctuality; several innocent lives were sacrificed in cool blood; and at length, the duke of Anjou, despairing of success, drew off his troops and retired from before the place.

Soon after, the duke of Lancaster, now made Edward's lieutenant in Aquitaine, landed at Calais with the duke of Brittany in his retinue, and about thirty thousand English, three thousand of whom were men at arms, and ten thousand archers: with this force he traversed the whole length of France as far as Bourdeaux, the wise Charles having recourse to his former politics, of providing securely for his places of chief strength, and abstaining from meeting the enemy in the open field. Numbers of flying parties were, however, continually hovering round the skirts of the duke's army, and so harassed him in his march, that he was hardly able to bring one half of his forces to the place of their destination, after having the poor satisfaction of destroying the open country, but without taking any place of the least consequence. Nevertheless, a parliament was convoked at Westminster, in the month of November, to consider of an aid for defraying the expence of this expedition and the ensuing campaign, when the lords and commons granted two fifteenths for counties and as many tenths for boroughs, to be levied in two years, with an additional duty on merchandize.

The year 1374, however, opened with a proposal from the pope to the kings of France and England, to send deputies in order to treat about either a peace or a truce, that some stop might be put to the late horrible effusion of human blood; at the same time his holiness declared that he would employ the severest censures of the church against the party who should prove refractory. Accordingly conferences were opened at Bruges, in the beginning of February, but without success, neither side being inclinable to abate any thing of their respective claims, and the final appeal continued to be made to the sword, which was first drawn this year by the duke of Anjou, in Guienne, immediately after Easter, while the duke of Lancaster, whose army had been ruined by the late fatal march, was in no condition to face the enemy, who now made himself master of Reole, Langon, and St. Macaire, with the strong towns of Auberache, and Perigord, and about forty places of less importance. At last, at the instances of the pope's legates, a cessation of arms was concluded between the dukes of Lancaster and Anjou, at St. Omer's, in the month of September, which was to last till the first day of May following. Thus finished the campaign in that part of France, and the English found themselves stripped, at the end of the year, of all Gascony and Guienne, excepting Bayonne and Bourdeaux, and a few other insignificant places.

All this winter the negotiations for a peace were still going on at Bruges, in presence of the pope's

legates, but without any great probability of success. Edward, who, notwithstanding his growing weakness, still retained that generosity and magnanimity which had so distinguished him in the meridian of his life, could not without regret behold the distress to which his son-in-law and ally, the duke of Brittany, was reduced on his account, and resolved to send him powerful succours, which he accordingly did, in the beginning of the year 1375, under the command of the earl of Cambridge, who embarked at the head of no less than two thousand men at arms and three thousand archers, and, after landing in Brittany, they took the strong fortresses of Mahi, and, after the example which had, on several occasions, been shewn by the French under the lord Clifton (who, on account of his sanguinary disposition, had the name of the Butcher given him) every one within the place was put to the sword. After several successes, the English and Breton troops were on the point of taking the town and castle of Quimperlé, in which Clifton had shut himself up, when an express arrived from the duke of Lancaster, who was then at Bruges, with advice that as a truce was concluded between England and France, in which all friends and allies of both parties were included, and his orders to desist from all hostilities: upon which the duke of Brittany, sacrificing the revenge he had vowed against Clifton and his soldiers, to the laws of honour, raised the siege, and, dismissing the English troops, retired to Auray, where his duchess still remained, with whom he soon after set out for England. The French were not so punctilious with respect to the garrison of St. Sauveur, which was obliged to surrender, though they claimed the benefit of the truce, which the besiegers would not allow: the French court, however, found this raised so general a clamour, that they agreed to pay forty thousand franks of gold for the place, or else deliver it up again to the king of England.

The negotiations for this truce had been opened about the latter end of the spring, 1375, and the conferences managed by the duke of Lancaster, the earl of Salisbury, the bishop of London, and the lord Cobham, on the side of England; the French plenipotentiaries were the dukes of Anjou and Burgundy, the count of Salebruche, with the bishops of Amiens, Bayeux, and others. After much altercation and debate, finding it impossible to accomplish a final treaty of peace, they agreed to a truce from the twenty seventh-day of June to the fifteenth of September, on the following terms:

"That, during the term above-mentioned, there should be a free intercourse between the two nations; that all prisoners should be released; that no new forts should be erected by either party; that they should assist each other in suppressing robberies, murder, and other outrages; that Henry, king of Castile, and John de Montfort, duke of Brittany, should be comprehended in this agreement; that hostilities should cease in Brittany, and the forces of the king of England and the duke be removed from that county, except two hundred men to guard the places which the duke still possessed; and, lastly, that the two kings of France and England should send commissioners to Bruges, by the fifteenth day of September, to settle articles for a lasting peace*."

* Rymer's Fœdera, vol. vi.

So dishonourable a truce, after so ruinous a war, made the people of England very much out of humour with the administration; and, after their accustomed manner, they shewed their resentment by several very spirited remonstrances upon the grievances of the nation; in particular, they complained of the embezzlement of the public treasure, and usurious contracts by the king's officers, many of whom the commons impeached by name, and in particular the lord Latimer, who was chamberlain and privy-counsellor to the king, was convicted of such clandestine traffick, and other instances of oppression and corruption, that he was deprived of his employment, and confined in the Marshalsea-prison till he should pay a fine of twenty-thousand marks.

The great Edward in the mean time was sunk into dotage: this prince, whose whole attention, in the vigour of his age, had been engrossed in the pursuits of war and ambition, began at a very improper season to indulge himself in amorous dalliance, and was dwindled into the contemptible slave of an infamous woman, called Alice Pierce, or Perriers, who, to the open scandal of all government, was suffered to sit in the public courts of justice, and even appeared decked in the jewels of the virtuous queen Philippa, Edward's late consort, which that now fallen prince had the weakness to make her a present of, by an authentic deed, together with all the other moveables of that worthy lady: in a word, the regal authority seemed wholly consigned to the hands of this strumpet, who placed and displaced every great officer as she pleased. The nation were no longer able to bear such proceedings; and the parliament, which met on the twenty-fourth of April, 1376, declared themselves so roundly upon this subject, that, before they broke up, they obliged the king to issue a sentence of banishment against the said Alice, and to confiscate her estate. At the same time, to shew that they retained a warm and loyal affection for their sovereign, even in the midst of his weaknesses, they granted him a very considerable subsidy; and, in the conclusion of their grant, they promise, that, if any extraordinary case should happen, they would aid him to the utmost of their power, as they had done before, beyond all the commons in the world, to their liege lord*.

During the sessions of this parliament, the nation suffered an irreparable loss by the death of Edward, prince of Wales, surnamed the Black Prince, on the eighteenth of June, 1376, in the forty-sixth year of his age. With him, says an English historian of those days, died the hopes of the English, during whose life they dreaded no invasion, nor feared to encounter any enemy: he never undertook an expedition without conquest, never formed a siege without carrying the place: he was possessed of an amazing strength and activity of body; he was delicate in constitution and complexion, the epithet Black having been given him, either from his wearing a suit of armour or plume of feathers

of that colour, or from the sufferings his sword entailed upon his enemies. The French historian Froissart tells us that Charles V. though he had little cause for sorrow on this event, gave a noble mark of his esteem to this gallant warrior, by ordering a solemn service to be said for his soul in the church of Notre Dame in Paris, at which the king assisted in person, with the greatest part of the nobility of France†.

This event plunged the nation in unutterable sorrow, as it had flattered itself with the prospect of uninterrupted happiness and glory under the reign of such an accomplished prince; and the public concern was, perhaps, increased by the jealousy which had lately been conceived of the views and conduct of his brother John of Ghent, duke of Lancaster, as appears by the commons petitioning the king, before the prince of Wales was buried, that, for the comfort of the nation, his eldest son, Richard of Bourdeaux, might be brought into parliament, and acknowledged as the true heir apparent to the realm." This was not only readily complied with by Edward, but he also created the young prince duke of Cornwall and earl of Chester, and presently after conferred on him the title of prince of Wales.

Before we conclude the transactions of this year, we shall take a short review of what had passed between the courts of England and Scotland since the accession of Robert II. high-steward of Scotland, to the throne of that kingdom. In the beginning of his reign, this prince thought it his interest to keep fair with the court of England, though his natural bent, and that of his family and friends, was to an alliance with France. Accordingly, as soon as he found a convenient opportunity, he concluded a treaty with that court, in which, among other articles, it was stipulated, that no Frenchman should serve against Scotland, nor any Scot assist the enemies of France. These proceedings naturally gave great umbrage to Edward, who, apprehending that an invasion from Scotland might be the consequence of this compact, ordered the lords Marchers to array the northern militia, and keep them in readiness upon the borders. The Scot affected to consider this just and necessary precaution on the part of Edward, as a tacit declaration of hostilities; and, drawing his own forces towards the banks northward of the Tweed, a neighbourhood of this kind quickly begat a petty war between the wardens of the Scottish and English Marches: the earls of Marche and Murray entered the town of Roxburgh, while a great fair was holding there, set it on fire, and plundered and murdered all the English whom they found in the place. The lord Piercy, in revenge for this cruel insult, entered Scotland with seven thousand men, and plundered the estate of sir John Gordon; but, as he was proceeding farther, was defeated by a stratagem‡. At the same time sir Thomas Musgrave, the English governor of Berwick, was intercepted

* See Rot. Parl. 49 Ed. III. Walsingham.

† He was buried in the cathedral of Canterbury, where his tomb, with an inscription in French, is still to be seen. He had issue legitimate, two sons, viz. Edward of Angoulesme, who died an infant, and Richard of Bourdeaux, who succeeded his grand-father on the throne of England. He had likewise one daughter. His natural issue were, sir John Sounder, of whom there is no other mention than his name: and sir Roger de Clarendon, so named, probably, from the place of his birth:

he is thought to be an ancestor of a family of the Smiths, in Essex. Walsingham. Sandf. Genealog. p. 189.

‡ Which, according to Abercromby, the Scotch historian, was as follows: while the lord Piercy lay encamped in the open country, the peasants of the adjacent villages met in the night, and having provided bags of dry leather, they filled them with small pebble stones, with which they made such a noise round the camp, that the enemy's horses, taking fright, broke loose from the camp, and ran away through the country, where they

tercepted by sir John Gordon, as he was marching to join lord Piercy with a body of troops, and taken prisoner. In this state of mutual skirmishing, without war being formally declared on either side, stood affairs between the two nations till the death of Edward.

The grief which Edward felt for the loss of his son, added to the weakness which had for some time obscured his great talents, rendered him now in a manner unfit for government, and he retired to a solitary life, at Eltham, in Kent, one of his country seats: the duke of Lancaster laid hold of this opportunity, so favourable to his ambition, to get himself declared regent of the kingdom, with the approbation of the princess dowager of Wales and young prince Richard, whom he had gained to his interest; and, the more effectually to remove from Edward the thoughts of resuming the reins of government, he contrived to have Alice Pierce recalled again about the royal person. This mistress soon gained her ascendancy at court, so far as to procure the disgrace of every one suspected by, or obnoxious to her, or the duke her patron. Lancaster, on his side, made it his first business, upon his being invested with the government, to wreak his revenge on the earl of Marche (Mortimer) and William of Wickham, bishop of Winchester, both men of great power and abilities, and the constant opposers of his ambitious measures: the former of these he obliged to resign the staff of earl-marshal; and the latter was forbid the court, after having all his temporalities seized. The next step was to procure a parliament that would, without hesitation, grant large supplies: this was no difficult matter to be done; and the assembly meeting on the twenty-seventh of January, 1377, the lords and commons very readily granted the king, towards his charges, four pence, by way of poll-tax, from every person in the kingdom above fourteen years of age, except mere beggars. The prelates, at the same time, granted the king, for the use of his wars, twelve pence for every beneficed parson, and all other religious persons four pence by the poll, the four orders of Friars Mendicant only excepted*. In this parliament also the commons, to shew their eagerness to oblige the court-party, revoked all the sentences that had been passed in the last parliament against public offenders; the lord Latimer was restored to his former rank and office; and the sentence of confiscation and banishment which had been passed against Alice Pierce, was declared null and void, on pretence that she had not been admitted to make her legal defence; and she was reinstated in full possession of all her former rights, privileges, and estates. The same indulgences were extended to all who had been censured by the last parliament, to the great satisfaction of Edward and the duke of Lancaster's party. These measures, with the laying on of the poll-tax, or rather the oppressive method of collecting it, gave the nation the greatest discontent: and the haughtiness of the duke of Lancaster, and his friend the lord Piercy, on whom he had bestowed the staff of earl-marshal, taken from the earl of Marche, served not a little to increase the flame, which at length burst forth into the most unwarrantable excesses.

About this time John Wickliff, doctor of divinity in the university of Oxford, began to publish his belief upon several articles of religion, wherein he differed from the common doctrine (as we shall shew at large in our review of the State of Religion during this period.) He soon gained a number of followers in the kingdom, and among others the duke of Lancaster, and the lord Piercy, earl-marshal. Wickliff being summoned to appear before the bishop of London, at a synod held by that prelate in St. Paul's cathedral, the duke and marshal accompanied him thither, thinking their presence would be a powerful protection; and, in the course of the examination, the duke and marshal insulted the bishop, and even proceeded to threats, upon which the synod broke up in great confusion. The populace of London, who adored the bishop, and were glad of any opportunity to be revenged on those whom they thought their oppressors, assembled in a tumultuous manner, and, running to the Savoy, the magnificent palace of the duke of Lancaster, they rifled the house, and searched every where for his person, which, in all probability, they would have sacrificed in their unbridled fury; but, upon advice of the danger which threatened him, he had escaped, with the lord Piercy, to the court of the princess of Wales, then at Kennington, in Surry, where they remained till the tumult was subsided. The duke was so provoked at this affront, that he could not be pacified but by the removal of the then mayor (Adam Staple) and the aldermen, whom he accused of not having done their endeavours to quell the rioters. This severity, however, served only to render Lancaster more unpopular and odious.

On the first of April, this year, the latest prolongation of the truce with France expired, and many endeavours were vainly used towards concluding a final peace. Hostilities were again begun between the two crowns: the French laid siege to a strong fort near Calais, which was delivered into their hands by the treachery or cowardice of the commanding officer. On the other hand, the brave sir Hugh Calverly, governor of Calais, made an inroad into the French territories, from whence he returned with a great booty to Calais. This was the last of the numerous military operations which distinguished this bustling reign; as the following was of the public acts of the great Edward: in an assembly of the knights companions of the Garter, on St. George's day (April 23), he conferred that order on his grand-son Richard: this was the only honour he could give him, after declaring him his successor. Shortly after the king fell ill of a distemper called the cingles, a kind of St. Anthony's fire, that encompasses the body like a belt, which quickly increased to so dangerous a height as to leave no hopes of his recovery. In this situation all his infamous courtiers and attendants forsook him, Alice Pierce alone excepted, who watched with care the royal body so long as she thought any life remained in it; but when she beheld him in the agonies of death, she stripped him of his rings and jewels, and then left him without a single friend or domestic to close his eyes.

they were all picked up by the Scots. The English, not daring to advance without their horse, were obliged to retire homewards, with great precipitation, on foot. Abercromb. vol. ii. p. 171. A ridiculous reason for the ill success of this in-

vasion! which, most probably, was occasioned by the difficulty of subsisting in an already desolated country.

* Cotton's Abridgment, p. 144, &c.

Thus deserted and forlorn lay the once great and glorious, and now expiring, Edward; at length a priest of his household, passing by accident through the room, where he lay in a condition the most abject that can befall the human race, had the humanity to approach the bed-side, and, finding the poor king yet breathing, addressed to him some pious exhortations, to which the latter endeavoured to reply, but in words too inarticulate to be understood: at length, making a final effort, he pronounced the word Jesus! and closed his eyes upon this world, and all his former glories.

Here let humanity take its sympathizing stand! here let ambition drop its aspiring head! and contemplate in the deplorable exit of this conqueror of nations, the vanity of all sublunary greatness! while the historian, turning his eyes from this humiliating object, essays to trace the lineaments of a character so conspicuous in the annals of the world.

Edward III. was tall of stature, but so justly proportioned in his make, and of so noble and majestic an aspect as at once engaged affection and commanded reverence: the arms which are still shewn and said to be his, demonstrate his personal strength. He was gracious and obliging to the virtuous and deserving; stern and inexorable to the bad and faithless. In conversation he was affable and communicative, nor did he disdain to receive instruction from those beneath him, in instances where they were enabled to give it: at the same time he was possessed of so just a discernment, that few princes ever made a more happy choice of servants, either in the domestic, the civil, or the military departments. Friend of the poor, the fatherless, the widow, and the afflicted, when he relieved, it was as a king, by putting them above the return of their miseries. In the distribution of rewards and dignities, he shewed a distinguished judgment, and an invariable regard to merit. He had a taste for the liberal arts, much above what could be expected from the age he lived in; witness the edifices of Windsor castle, King's hall in Cambridge, and the collegiate chapel of St. Stephen, now the room wherein the commons of Great Britain assemble, all which he built and endowed. It remains now that we should say something of his political as well as his personal character.

In this view he will appear to us one of the greatest princes that ever swayed the English sceptre, whether we behold him as a warrior, a legislator, or a monarch. It must, indeed, be confessed, that the love of glory was his predominant passion, and that, on several occasions, he scrupled not to indulge it even at the expence of humanity, the lives of his subjects, and the interest of his country; but then it should be considered that he was but a man, and, as such, liable to errors; and that the distracted state of affairs on the continent, and the jarring interests of its princes, concurred in flattering his ambition, and inspiring him with views, which otherwise perhaps he might never have conceived. His conduct with regard to Scotland we have already considered in the first pages of his reign: this, and his claim to the succession of France, involved his subjects and himself in many difficulties; but these very difficulties served, in the end, to wean them from the vain notions they had en-

tertained upon their king's amazing successes, and taught them a lesson, necessary to be had in mind by all kingdoms situated like our's, that victories may, under certain circumstances, serve only to distress, and conquests to encumber. And, indeed, notwithstanding that by his arms he had made England, at it were, a queen among nations, yet conquest seems to have had but a second place in Edward's glory: a true lover of the constitution of his country, with which he was intimately acquainted, he shewed himself on all occasions as anxious to defend the privileges of the people, as to preserve the prerogatives of his crown; witness the many excellent laws and regulations which were enacted in his reign. As to his weakness at the close of his life, in suffering himself to be made the dupe of an artful and worthless woman, we may in some measure excuse him, by supposing that his passion might at first be only an amusement to divert the melancholy reflections arising from the disappointments, with which his later days were clouded; and considering, that he who had not had leisure in his youthful hours to be acquainted with the power of love, was the less able to guard against it in his old age.

This great prince died at Shene (now Richmond), a delightful retreat in the neighbourhood of London, on the twenty-first of June, 1377, in the sixty-fifth year of his age, and the fifty-first of his reign, and was buried in Westminster abbey, near his queen Philippa, by whom he had issue,

1. Edward the Black Prince.
 2. William of Hatfield, who died in his infancy.
 3. Lionel of Antwerp, duke of Clarence, who espoused Elizabeth, heiress of William de Burgh, earl of Ulster. He was afterwards married to Violante, sister to John Galeazzo Visconti, duke of Milan, and by her he had one daughter, named Philippa, who was matched to Edmund Mortimer, earl of Marche.
 4. John of Ghent, who married Blanche, daughter and coheirs of Henry, duke of Lancaster, to which title he succeeded. His second wife was Constance, eldest daughter of don Pedro, king of Castile; in whose right he assumed the arms and title of that crown. After her death he espoused Catherine Swinford, who had already bore him several illegitimate children.
 5. Edmund de Langley, earl of Cambridge, constable of Dover castle, warden of the Cinque Ports, and afterwards duke of York.
 6. William of Windsor, who died an infant.
 7. Thomas of Woodstock.
- The daughters were,
1. Isabel, matched with Ingelram de Coucy, created earl of Bedford.
 2. Joan, who died of the plague at Bourdeaux.
 3. Blanche, who died in her infancy.
 4. Mary, married to John de Montfort, duke of Brittany.
 5. Margaret, matched with John de Hastings, earl of Pembroke.

Edward is likewise said to have had two natural children, namely, John Baldoc, and Isabella, married to Sancho Martinez de Leiva, a Spanish nobleman, who, in her right, quartered the arms of England in his escutcheon*.

* Fabian. Walsingham. Rymer. Sandford.

REMARKABLE OCCURRENCES.

In the fourth year of Edward's reign, on the sixth of July, there happened a great eclipse of the sun; and the rains were so violent this year, that the harvest did not begin till Michaelmas or Christmas. A mighty westerly wind overthrew several private houses and public edifices, tore up trees by the roots, and did a vast deal of mischief.

In his ninth year, the rains were so fatal, that the corn was spoiled, and a dearth ensued, wheat being sold for forty shillings a quarter (as much as thirty shillings a bushel now); and the cattle were destroyed by a murrain.

In his twelfth year it rained almost continually from the beginning of October to the beginning of December; and then a frost came upon it, which lasted twelve weeks: yet, though the corn was destroyed by it in a great measure, the war with Scotland, says my author, made money so scarce that all sorts of grain were sold at a reasonable rate.

In his thirteenth year, one hundred and twenty laymen and several priests, besides women, were drowned by an inundation of water, at Newcastle upon Tyne.

While the battle of Cressy was fighting, in the twentieth year of his reign, there fell a violent storm of hail, accompanied with an eclipse and terrible thunder, at which time prodigious flights of crows hovered over the English and French armies.

In his twenty-second year, it rained from Midsummer to Christmas so incessantly, that there was not one day or night dry together. This wet season caused great floods, and a pestilence which raged for a whole year: the earth was at the same time barren, and even the sea did not produce such plenty of fish as formerly. The mortality was so great, that in the city of London two hundred people, were buried every day in the Charter-house-yard, besides those interred in other common

burying-places; and this lasted from Candlemas to Easter.

His twenty-seventh year was remarkable for the scarcity of corn and provisions in England and France, occasioned by a great drought. It was called the Dear Summer: rye was brought out of Zealand to support the poor, who otherwise must have perished for want of sustenance.

In his thirty-fourth year, men and beasts were destroyed in several parts of England by thunder and lightening; many horses were burnt and ruined by it. The Second Mortality, so called to distinguish it from that we have mentioned already, was the more remarkable because it seized generally on men. And the same year, if we may credit the continuator of Nic. Trivet's History, two castles were seen in the air, the one in the south-east, the other in the south-west, out of which castles about noon there seemed to fall several troops of armed men; the band that came forth of the castle in the south-east appeared white, and the other in black; they fought for some time, the white conquered at first, but in the end the black got the victory. Any one the least conversant with natural philosophy, will readily resolve these wonderful appearances into their true origin; and the many instances of surprising phænomena occasioned by the collection of vapours in the atmosphere, are the best comments that can be made on such stories.

In his thirty-ninth year the rains were again very violent, and a great dearth and pestilence followed. Flights of sparrows fought in the air, and many of them dropped down dead to the ground. Caxton.

In his forty-second year, a comet appeared in March, between the north and west; the beams were darted towards France, and were thought to portend new troubles to that kingdom. In the following year the western parts of England, and Oxford particularly, were sorely afflicted with a pestilence.

RICHARD II. surnamed Of BOURDEAUX. A.D. 1377.

RICHARD of Bourdeaux, so called from the place of his birth, was not full ten years and a half old when he succeeded to the crown, upon the death of his grand-father, Edward III. The beauty of his person, which was the most lovely that eye could behold, joined to the enthusiastic fondness with which the whole nation cherished the memory of his illustrious father, the Black Prince, occasioned his accession to be celebrated with the greatest acclamations, and in an universal joy in all parts of the kingdom.

His uncle, John of Ghent, duke of Lancaster, had at that time all the power of England in his hands: the tender years of Richard, and the critical situation of the kingdom, which was threatend with foreign wars, seemed to require a more sure and steady hand than that of a minor, to manage the reins of government, and to provide the duke with the most plausible pretext he could wish, for seizing the crown, had he really entertained a design of that nature; a charge which has been fixed as an

imputation upon his character by the monkish writers, who hated him as the protector of Wickliff, contrary to all evidence of history, since it is notorious, that, instead, of endeavouring to supplant his nephew, he was the first to do him homage and fealty.

We have, in the preceding part of this history, seen that the duke had, in the latter part of Edward's life, conceived a great resentment against the city of London, for opposing some of his measures as regent; and the news of the old king's illness filled the inhabitants of that capital with the most uneasy apprehensions for their own safety. To divert the storm which they thought rising against them, a few hours before Edward's death, a deputation, of which alderman John Philpot was the head, was sent to Kennington*, where the prince then was, "to implore his favour and protection for the city of London, which was his chamber: and to the citizens, who were infinitely disturbed that he was at such a distance from them, and were

* And not to Kingston upon Thames, as Carte, Smollett, and other historians have it.

Engraved for
MORTIMER'S
History of England.



S. Wale delin.

RICHARD II.

C. Grignon sculp.

ready to venture their estates, and lay down their lives, if necessary, for his service." This address concluded with a request, "that he would be pleased to take up his residence in the city, and put an end to the prosecutions commenced by the duke of Lancaster." Their request was granted; Lancaster was obliged to make his revenge give way to the spirit of the times, and all differences were compromised by commissioners sent to London for that purpose. Richard, in a very few days after, made a magnificent entry into London, attended by the duke of Lancaster, the duke of Brittany (who had, some time before Edward's death, come over to England), the archbishop of Canterbury, the bishop of Winchester, the earls of Marche and Warwick, with many other noblemen. The duke, however, continued in the exercise of the government, and the first act of the new king's reign was a renewal of the commission of high-constable of England, in favour of his uncle Thomas of Woodstock, during pleasure, the young earl of Hereford, whose right it was by inheritance, being still a minor. Orders were likewise issued for guarding the sea-coasts against the French, who had, on the expiration of the truce, recommenced hostilities, and for taking all the necessary precautions against a descent.

And now, to satisfy the impatience of the people, the coronation of the young king was fixed for Thursday the sixteenth of July, when it was celebrated with the utmost magnificence. On this joyful occasion the king created his beloved uncle, Thomas of Woodstock, earl of Buckingham; lord Henry Percy was made earl of Northumberland; John Mowbray of Axholm, earl of Nottingham; and Guiscard de l'Angle, earl of Huntingdon. He at the same time bestowed the honourable order of knighthood upon Edward, the son of Edmund, earl of Cambridge; upon John, the son of Thomas Roos of Hamelak; upon Robert Grey, of Netherfeld; upon Richard, the son of Gilbert Talbot; upon Gerrard, the son of Warren Lisle; upon Michael, son of Michael de la Pole; upon Richard Pomynges, upon Robert Haryngton, and upon Thomas de la More; and gave royal presents to each of the said noblemen and knights, suitable to his sovereign magnificence*. At this coronation it is that we meet with the first mention in history of a champion, who appeared completely armed in Westminster hall, where the king dined, and throwing his gauntlet on the ground, challenged all persons whatsoever, who should dare to dispute his majesty's title to the crown. The origin of this custom, which is still preserved, is altogether unknown; but it is certainly of older date than the coronation of Richard II. since sir John Dimmock, who performed the office at this time, was admitted to it by virtue of a right annexed to the manor of Scrivelsby, in Lincolnshire, held by him in right of his wife Margaret, daughter of sir John Marmion. Many other claims of offices were made and adjusted at this time, with which it would be as endless as impertinent to trouble the reader: we shall therefore proceed in our narrative.

The day after the coronation a great council was held at Westminster, in which the bishops of London and Salisbury, the earls of Marche and Arundel, the lords Latimer and Cobham, Roger Beauchamp

and Richard Stafford, bannerets; John Knyvet, Ralph Ferrers, John Devereux, and Hugh Segrave, knights bachelors, were, by assent of the lords and prelates assembled on this occasion, appointed members of the king's council. It is remarkable that none of the king's uncles are in this commission; however, the duke of Lancaster still had the principal administration of public affairs.

The precautions which had been taken for guarding the sea-coasts immediately upon the death of the late king, appeared to have been actuated by a very prudent foresight, though they did not altogether answer the intent. Charles V. who was still on the throne of France, no sooner heard of Edward's death, than he got together a strong squadron, which, being joined by another from Castile, formed in the whole a fleet of one hundred and twenty vessels, ships, and galleys; these, putting to sea about the middle of July, scoured the Channel, landed at Hastings, ravaged the Isle of Wight, and made a furious assault upon the castle of Carisbrook, but were repulsed by the bravery of sir Hugh Tyrrel, who commanded in that fort. They likewise made an attempt upon Southampton, but found it too well guarded by the earl of Arundel, for them to venture to land. They made a descent, however, in Sussex, where they were opposed by the prior of Lewes, at the head of some raw militia, whom they easily defeated, and the prior himself, with two knights, was taken prisoner, and carried to France. In their return home they burnt the towns of Portsmouth, Dartmouth, and Plymouth; and then, having received intelligence that the earls of Cambridge and Buckingham, Richard's two uncles, had got together on the coasts a large body of men to oppose their future landings, they steered for France, carrying off a prodigious booty.

Nor were the French arms less successful by land than sea. The duke of Burgundy and marshal Blainville besieged and took the town of Ardres and other strong places in the neighbourhood of Calais. Another body of forces, under the command of the duke of Anjou and the marshal Sancerre, was detached into Gascony, where they invested Bergerac, and sent John de Beuil to bring up the artillery from la Reole. Sir Thomas Felton, the English governor of Aquitaine, assembling some troops, resolved to intercept the artillery, and cut in pieces the detachment; but the duke of Anjou, being informed of this design, found means to reinforce de Beuil, who gave battle to the English, and Felton was defeated and taken prisoner.

These successes, with the late insults offered to the English coasts, alarmed the whole nation, who could not, without murmuring, behold this fatal reverse in their affairs, from the time when they held in chains the father and almost the whole nobility of the very prince who thus distressed and triumphed over them. On this occasion many bitter reflections were made upon the duke of Lancaster, for the little care he took to guard against these attempts of the enemy, without considering that he had neither fleets, nor troops, nor money, nor even any lawful authority to raise any. However, the duke, sensible of his own unpopularity, and fearful that his continuing to have any share in the management of public affairs might be of pre-

* Wallingham. Aët. Pub. vol. vii. p. 160.

judice to his royal nephew, took leave of the court, and retired to his castle of Kenelworth, after having publicly professed, that, in case his majesty should have occasion for his assistance, he would attend him with a greater train of followers than any other nobleman in the kingdom, and would be always ready to promote his honour and interest at the hazard of his life and fortune.

Another accident happened much about this time, that served not a little to increase the dissatisfaction of the people: the Scots broke into the English command within Scotland, where they took and burnt the town of Roxburgh; but Piercy, lately made earl of Northumberland and warden of the Scottish marches, entered that country at the head of ten thousand men, and wasted it for three days, especially the lands belonging to Dunbar, the Scottish earl of Marche, who had been chiefly instrumental in surprizing Roxburgh. Not long after, the lord Thomas Piercy, son of the earl of Northumberland, had the good fortune to fall in with a fleet of fifty sail of Flemish and Spanish ships, laden with French commodities, which he engaged, and, after a smart dispute, took twenty-two of their ships, which he brought in triumph into the English ports. But not all these services could prevent the tide of popularity running strong against this family, on account of its connexions with the duke of Lancaster; and the earl of Northumberland, thinking it most prudent to give way to the torrent, resigned his staff as high-marshal of England, which was given to the lord John Arundel, brother to the earl of that name, in consideration of the gallant defence that nobleman made when the French appeared off Southampton.

On the thirteenth of October the parliament met by summons from the king; and the duke of Lancaster, by virtue of that sent to him, attended the same. The archbishop of Canterbury opened the session with a speech, and was seconded by sir Richard Scroop, who informed the members of the present state of affairs abroad, desiring, in the king's name, "that they would advise him in what manner he might best resist the progress of the enemy's arms, and how the necessary supplies might be raised with the greatest ease to the people." As this was a matter of the highest importance, the commons would not take upon them to give their opinion in it, unless the king would be pleased to permit them to have a conference with certain of his counsellors and nobility, at the head of whom they particularly named the duke of Lancaster, for their better information, and greater dispatch in the public business. The king, who was present, readily granted their request; but the duke of Lancaster, rising from his seat, threw himself on his knees before the king, and desired "to be excused from assisting in the conference proposed, because the commons had thrown out aspersions against him, importing his either having formed designs, or committed facts, which amounted to treason; a charge which no man of honour could put up with; and which he was ready to disprove, by his body, or in any other manner that the king or his peers should direct, against all persons whatsoever, the crowned head excepted."

Upon this the prelates and lords stood up, and, with one voice desired him to cease such language, which seemed meant only to cause disunion among the king's peaceable and liege subjects; since it

could not be imagined that any person whatsoever would presume to advance a charge of that nature he hinted at, against him: and the commons observed, that it was a sufficient proof that they bore him neither malice nor ill-will, by their chusing him to be their principal counsellor and assistant in parliament. The duke thereupon made an apology for what he had said, laying the blame entirely on the inventors and spreaders of such false reports; and moved, that a law might be made for punishing such offenders. Matters thus amicably adjusted, the house went upon business; and the commons, considering the dangers to which the kingdom was exposed at this time, and during the king's minority, thought proper to recommend some regulations for the better exercise of the government, which they did in the form of petition.

The first request was, "That certain persons, such as best knew, and would be most diligent in redressing mischiefs, and promoting the public good, might be appointed in parliament for the king's constant counsellors, to act jointly with the great officers of the crown, in ordering the business of the kingdom, and to be entrusted with the issuing and direction of the money for the support of the French war."

This was granted; and the nine persons following being chosen by the advice of the lords, they were sworn of the council, viz. the bishops of London, Carlisle, and Salisbury, the earls of Marche and Stafford, sir Richard Stafford, sir Henry Scroop, sir John Devereux, and sir Hugh Segrave. The term fixed for their continuance in that trust was a year, and this expired, they were incapacitated to be rechosen for two years following; and were, during the exercise of their office, absolutely inhibited from receiving any grant of lands, rent, escheat, ward, or marriage.

The second request of the commons was, "That the common law and statutes of the realm might be duly observed, and care taken to prevent their being obstructed by men in power about the court; with a saving of the king's dignity and prerogative." This was too reasonable not to meet with a ready compliance: but when their third request came to be considered, which was,

"That the parliament should appoint the servants of the king; that the charges of the household should be borne by the revenues of the crown; and that the supplies granted for the war, should be applied to that purpose only;" the lords declined joining in this motion: "because, they said, it was too harsh treatment of a king, to place those about his person whom he might not like; or to remove his officers and servants without his consent, unless in cases of high crimes and misdemeanors: nevertheless, with regard to the expences of the household, they wished to confer with the great officers, and see if they could, consistent with the state and honour of the king, be defrayed entirely out of the crown-revenue."

The next request of the commons was, "That during the king's minority, the chancellor, treasurer, chief-justices, and other officers of the crown, should be appointed by the parliament." But the lords objected to this demand likewise; insisting, that it was their right, while the king remained under age, to nominate the counsellors, chancellor, chamberlain, and steward of the household; and that the other officers of the crown should

should be left to the choice of the king, with the advice of his council.

Notwithstanding this non-compliance on the part of the lords, the commons voted a supply of two tenths for cities and boroughs, and two fifteenths for counties, on condition, "that the money arising from thence, as also from the two tenths given by the clergy, and the subsidy on wool, might be deposited in the hands of two trustees; and John Philpot and William Walworth, merchants of London, were appointed for that office, and were sworn to give an account of their receipts and disbursements of the same, in such manner as the king and his council should appoint."

This measure was apparently levelled against the duke of Lancaster and the rest of the king's relations, of whom it bespoke the greatest distrust, before they had the least opportunity of shewing that they merited so severe a censure. Accordingly the duke took occasion to hint his resentment against so ungenerous a proceeding: but the commons were not to be controlled; on the contrary, they went still farther lengths, by petitioning,

"That all those who had misled the late king, towards the latter unfortunate part of his reign, might be removed from all the councils of the present sovereign, and their places might be filled up with fitter persons; as also, that all the officers about the court might be prohibited from maintaining quarrels, or suits, in the country; or to meddle with any affairs not immediately within the department of their respective offices."

As the commons had specified no particular persons in this petition, it was granted to them; and a severe penalty was laid on all who should be guilty of maintaining quarrels or suits, &c. *

The public business being thus dispatched, the parliament admitted an accusation against Alice Pierce, mistress of the late king, who, being convicted of several misdemeanors, received a sentence, whereby all her estate was confiscated to the crown, and herself condemned to banishment: but her disgrace was not of long continuance, for in the next parliament, through the interest of the duke of Lancaster, who was her friend, her sentence was reversed; and she was soon after married to sir William de Windesore, a person of great rank and fortune.

Before the parliament broke up, Richard confirmed the two Great Charters, and gave his assent to several acts relating to the contest between the church of England and Rome: but the commons failed in another request they made, of great importance; it was, that a parliament might be held once a year, in a convenient place, for redressing delays in suits, and for deciding those causes about which the judges should be divided in opinion.

Immediately after the breaking up of the parliament, which was on the twenty-eighth of November, the duke of Lancaster, on pretence of providing for the safety of the kingdom, applied to the lords of the council for an order to take money out of the hands of the two trustees, Walworth and Philpot; which being granted him, he took into his pay nine large Bayonne ships, with which

he attacked a fleet of French merchant ships, and took fourteen of them. Alderman Philpot, encouraged by this example, and desirous to signalize himself, fitted out and manned a squadron of ships at his own expence, with which he took fifteen rich Spanish ships on the coast of Scotland, part of a fleet under the command of one Mercer, a native of that country. This action, although it greatly pleased the common people, gave umbrage to the council, who sent for Philpot, and gave him a severe reprimand for having undertaken an affair of this nature, without the concurrence or licence of the government: and, indeed, this reprimand appears to have been very just, for there was a treaty at that time actually on foot for a lasting peace between Scotland and England, which this adventure in a great measure rendered abortive; and the Scots, in revenge, soon after surprized the town and castle of Berwick; but the earl of Northumberland marching against them with ten thousand men, soon recovered the place, and put all the Scots he found therein to the sword. After this he sent sir Thomas Musgrave, with a party of six hundred men, to reconnoitre the country, that he might make farther advances; but this officer had the misfortune to fall into an ambush prepared for him by the earl of Douglas, who routed and took him prisoner. This loss, with the difficulty of getting subsistence for his men, obliged the earl to march back to England.

In the beginning of January, 1378, several commissions, but without any effect, were issued out by the court of England to plenipotentiaries, for treating about a peace with the court of France. And in the month of March, the brave sir Hugh Calverly, governor of Calais, burned about twenty-six French ships in the port of Boulogne, which town he laid in ashes, and carried off a great booty. In his return to Calais he learned that the people of Picardy had betrayed to the French the castle of Merck, a fort of great consequence not far from Calais, in the absence of sir Robert Salle, its governor; but sir Hugh attacked the place so vigorously, that he soon retook it, and hanged up all the Picards who had betrayed it, as guilty of treason.

About the same time Richard entered into a treaty with the duke of Brittany, who agreed to deliver up into the hands of the English the strong town, castle, and harbour of Brest, on condition that the same should be restored to him in case of a peace, that he should receive the sum of one thousand pounds sterling in ready cash, and be allowed a pension of eight hundred pounds per annum. The duke also engaged to mediate an alliance between the court of England and Flanders. All this exasperated the king of France so much, that he threatened to reannex Brittany to the crown, in which he proved as good as his word the following year.

Charles also discovered this year a detestable plot, which the king of Navarre had entered into, to poison him; upon which all the strong holds belonging to that prince were seized upon, and he was once more driven into the arms of England, and admitted an English garrison into Cherbourg: but this was not effected without a considerable loss on the side of the English; for the earls of Salis-

* See Rot. Parl. 1 Rich. II. n. 17—20. n. 25—48. In this parliament sir Peter de la Mere was chosen speaker of the

commons, being the first upon record. See Cotton's Abridgment, p. 155.

bury and Arundel being sent with a body of land forces, on board a squadron commanded by sir Philip Courtenay and his brother sir Peter, to take possession of that fortress, in their passage fell in with a fleet of Spanish men of war, who fiercely attacked them, and the English fleet was so roughly handled, that one of the brothers was dangerously wounded, and obliged to quit the combat, and the other was taken prisoner, and a great number of the English were either taken or killed. However, the English admirals, by keeping the enemy in play, gave the transports, with the troops on board, an opportunity to get into the harbour of Cherbourg time enough to save the place from the French: and the possession of this place gave the former an inlet into Normandy, as Calais did into Picardy.

Notwithstanding the supplies granted by the late parliament, little or nothing of consequence had been done for the safety of the kingdom, or the annoying of the enemy; so that the people in general were at this time very much exasperated against the duke of Lancaster, whom they looked upon as the cause of this shameful neglect, and publicly charged him with embezzling the public treasure, merely to support the pomp which he assumed on account of his empty title of king of Castile: this put the duke upon making great preparations, and still greater promises, for answering the expectations of the nation by an expedition against its enemies; but while he was thus busied, an accident happened, which greatly increased the weight of public odium under which he laboured.

The count of Denia, a Spanish nobleman, having been taken prisoner in the battle of Najara, had been allowed to return to his own country, on leaving his son as an hostage for his ransom. The father happened to die before the money was paid, and the duke of Lancaster knowing the young count to have great interest in Castile, was desirous of engaging him in his party, and with this view obtained an order from the council to set him at liberty without ransom. The father of the count had been taken in battle by two gentlemen, the one named Hawley, the other Shakel: these having gotten intelligence of what was doing in the council, represented to the young Spaniard that he could not, in honour, consent to their being deprived of the benefit of his ransom. It has already been observed, in the course of these pages, that in those days prisoners belonged to the persons who took them, who were supposed to have as fair a right to the money arising from their ransom as to any other kind of property whatever. The young Castilian therefore, who had an high and almost romantic sense of honour, was so fully satisfied of the injustice of the duke's proceeding (though in favour of himself) that he resolved to sacrifice his liberty to his honour, and immediately disappeared, so that when the lord mayor and sheriffs were sent from the council to demand him, he was not to be found. Several persons were committed to the Tower on suspicion of having been privy to his escape; and at length a warrant was granted for seizing Hawley and Shakel, who thereupon took refuge in Westminster abbey, from whence they were not to be drawn by any intreaties or menaces. Lancaster, enraged at their obstinacy, prevailed on the king to order sir Adam Boxhull, with fifty men, to bring them out by force: this officer executed his com-

mission with the greatest strictness, and, though he found them in the very act of celebrating divine service, he commanded his soldiers to drag them from the altar. In this attempt, Hawley, after a gallant defence, was slain, together with a servant who assisted him, and Shakel was taken and sent prisoner to the Tower.

This, by the clergy, and indeed by the common people of that time, was looked upon as an inexcusable offence. The archbishop of Canterbury and five of his diocesans excommunicated all (the king, his mother, and the duke of Lancaster excepted) who were in any degree the contrivers or abettors of this sacrilegious act. The populace went still farther; they loudly charged the duke of Lancaster with the whole of this affair, and spared not to say that England must never hope for happiness or success, so long as the great men in power were suffered to violate the most holy sanctuaries with impunity. Nevertheless, the duke, unmoved by popular clamour or ecclesiastical censures, persisted in his design, and prevailed on the king to offer Shakel, the surviving captor of the count of Denia, a reward of five hundred marks in ready money, and a pension of one hundred for life, if he would produce his prisoner: Shakel consented, and then it appeared, to the amazement of every one, that the young nobleman, more anxious to preserve his honour than gain his liberty, had worn the disguise of a page to his own keeper.

It was the month of July before the duke of Lancaster had completed his preparations, towards the end of which he set sail with a great army, and landing on the coast of Brittany, laid siege to St. Malo's, which was defended by a brave officer, at the head of a numerous garrison. The constable du Guesclin, having advice of the duke's descent, advanced with a body of ten thousand horse, and a great number of other forces, to oblige him to raise the siege: but having orders not to hazard a battle, the two armies lay for some time in sight of each other, on the opposite banks of the river Rance, which runs by St. Malo's, without coming to a general engagement, notwithstanding that the duke of Lancaster did his utmost to provoke the Frenchman to a battle; till at length, tired with expecting him in vain, and sensible of the difficulty of attacking a strong place in the sight of an enemy who had posted himself in such a manner as to be able to take advantage of every motion of his adversary, he raised the siege and returned with his forces to England.

The ill success of this expedition occasioned a general discontent throughout the nation; so that when the parliament met, on the twentieth of October this year, at Gloucester, the commons seemed very little disposed to answer the demands of the court. The session was opened by a speech from the bishop of St. David's, the chancellor, representing the danger to which the nation was exposed from the enemies that surrounded it: he expatiated on the prodigious expence the king had been at in garrisoning those places in France, which were absolutely necessary for the security of England itself, such as Calais, Brest, and Cherbourg, and in providing for the defence of Bourdeaux and Bayonne, which were threatened by the king of Castile and the duke of Anjou. This speech was seconded by sir Richard Scroop, steward of the household, who entered more minutely into these affairs, and concluded

cluded with a broad intimation, that a considerable sum was expected by the government*.

After much debate on this head, in the course of which the commons insisted upon knowing in what manner the former sums had been expended, and who were intended to fill the great offices of state for the ensuing year, according to the ordinance of the last parliament; and, moreover, demanded a copy of the enrolment of the last subsidy, with which they were indulged by the court; and, after excepting to the sum of forty-six thousand pounds expended on fortresses abroad, which they insisted should be maintained out of the king's own revenue and patrimonial estate, they at length concurred with the lords in granting the king a three years subsidy on wool and leather, to a considerable amount; as also six pence in the pound on all merchandize imported and exported, for one year: but this was, in the next session, revoked, and, in lieu thereof, a poll-tax laid upon all orders of men throughout the kingdom.

This great supply gave a new turn to the war with France. In the beginning of the year 1379, a powerful fleet was fitted out, and the gallant sir Hugh Calverly, being recalled from his government of Calais, was, together with sir Thomas Piercy, made an admiral of England. This fleet scoured the Channel in their turn, and made several descents on the French coast, in which they took and plundered the towns of Port St. Pierre and Vilette, and raised contributions on the adjacent country; after which, reembarking their forces, they, upon their return home, made a second landing near St. Omer's, the suburbs of which they burnt, pillaged the great fair at Stacpol, and cut off a great convoy of ammunition and provisions designed for the town of Ardres; while the earl of Salisbury, who had succeeded sir Hugh Calverly in the government of Calais, seconded these operations by continually harassing the French in Picardy: and as the English were still in possession of Calais, Bourdeaux, and Bayonne, and had, as we have seen, lately obtained a grant of Cherbourg from the king of Navarre, and of Brest from the duke of Brittany, they were able to invade France in almost every quarter, and thus found it an easy matter to keep that government in perpetual terror and apprehension.

Charles V. sensible of these disadvantages, resolved to remove them by dispossessing the English of these important places: with this view he gave orders for the blocking up Brest by land, while the king of Castile's fleet was to block it up by sea; but the death of this latter prince obliged the French to abandon it, and Charles, thus disappointed, had recourse to other measures to distress his enemies, by declaring the duke of Brittany attainted of treason, as having borne arms against the king of France, his liege lord, and annexing his duchy to that crown. This sentence was passed

in the council of peers at Paris, without any opposition.

Charles V. though undoubtedly one of the wisest princes that ever sat on the throne of France, seems in this step to have deviated from his ordinary prudence; and not having well weighed the consequence of carrying matters to such an extremity, restored at once the duke of Brittany's affairs, by a blow that was designed to complete his ruin; for the Breton nobility, sensible that they must lose all their importance the moment their duchy became reannexed to the crown of France, and, moreover, resenting that Charles had not at all consulted them in this measure, resolved at all events to oppose the designs of that monarch. With this view they held several meetings among themselves, where many associations were formed by the nobility and towns in different parts of the province, to raise forces and stand by one another for the defence of their liberties: and considering that it would be much better for them to be subject to a chief who was on many occasions forced to court them, than to a powerful king whose will would be their law, and who would only regard them in the light of vassals, they resolved to invite home their duke; and accordingly a deputation of three or four noblemen was sent to England for that purpose, with the strongest assurances of an universal rising in his favour. The duke hereupon applied to Richard and his council for their advice, who encouraged him to embrace this favourable turn of fortune, promising him at the same time powerful assistance; and an English fleet was fitted out, under the command of the admirals sir Thomas Piercy and sir Hugh Calverly, on board of which the duke embarked with the deputies, and was landed, with a few English troops, in his own dominions, where he was received with a cordiality beyond his expectation. Three great towns, Dinant, Rennes, and Vannes, immediately declared for him, as did most of the principal nobility; and he saw his army every hour increased by numbers of Bretons, who, deserting the French service, flocked to his standard.

In the spring of this year, 1379, a most terrible plague broke out in the North of England, which depopulated the greatest part of the country: this calamity was farther aggravated by a furious irruption of the Scots, who, on this occasion committed the most shocking acts of cruelty and outrage.

About Easter a parliament was holden at Westminster; and the commons, highly pleased with the good success of the duke of Brittany, who was a great favourite with them, cheerfully agreed to the demands of the crown for a farther supply, especially as they were told that part of it was to be employed in supporting that duke. The subsidy granted on this occasion was of a very remarkable nature: it was a kind of poll or capitation

* Mr. Guthrie, from the Parliament Rolls, gives us the following account of the method of the commons presenting their speaker to the king. "The commons having retired to their house, chose for their speaker sir John Pickering; who, being presented to the king, made protestation, for himself and the commons of England, first, That if he should utter any thing to the prejudice, danger, slander, or disgrace of the king and his crown, or in lessening the honour or estate of the great lords, it might not be taken notice of by the king, and that the lords would pass it by; for that the commons highly desired to maintain the honour and estate of the king, and the

rights of the crown: as also to preserve the reverence due to the lords in all points. That as for his own person, he made his request that if, by indiscretion, he spoke any thing unwarily by common consent of his companions, it might be amended by them, before their departure or afterwards. This request (continues my author) contains a brief abridgment of the privileges of the commons within their own house, which still continue; and were, perhaps, much older than the Conquest itself, though not enjoyed under the same form as now." Guth. Hist. of Eng. vol. ii. p. 300.

tax, to be raised according to the general abilities of the lay people, from ten marks to four pence each person in the realm, from the age of sixteen.

The court having got this great supply, proceeded with vigour in the war with France. Their first step was to send out a strong fleet, under sir Hugh Calverly and sir Thomas Piercy, to the assistance of the duke of Brittany. A considerable number of the best land forces were put on board this squadron, and sir John Arundel appointed land general of the expedition: but they were hardly out of sight of the English coast, when they were overtaken by a most furious tempest, in which no less than thirty-five transports, with upwards of a thousand men, were lost; and sir John Arundel himself, with his ship, went to the bottom: the rest of the fleet, with sir Hugh Calverly, steered for St. Malo's, where the constable du Guesclin had been lately sent by the king of France, to reinforce that garrison, and, if possible, reduce the Bretons to obedience. The harbour having a very narrow entrance, a small part of the English only could get in at a time; those who were not yet entered, were attacked by a squadron of French and Spanish ships, and were very near being taken; but sir Hugh Calverly, being apprized of their danger, instantly stood out of the harbour again, and falling with unparalleled fury upon the enemy, obliged them to sheer off, and brought his whole fleet safely into the harbour. In the mean time the French having blocked up Cherbourg, were beaten off, with great loss, by sir John Harleston, the governor, and sir Geoffrey Worsely, and the place amply supplied with provisions and ammunition from the English fleet. Very little else of consequence was done during this year on the continent. The earl of Salisbury was now removed from the government of Calais, and Harleston from that of Cherbourg, to other posts of command and honour; and sir John Devreux succeeded the former, and sir William de Windesore, who had married Alice Pierce, the late king's mistress, the latter.

On the sixteenth of January, 1380, the parliament sat at Westminster, in pursuance of a summons from the crown, but in a very ill humour at the little advantage or glory the nation had acquired in return for the prodigious sums it had granted, nothing of consequence having been done, excepting the restoration of the duke of Brittany, and that had been chiefly effected by his own subjects: the first measure, therefore, of this session was a petition from the commons, requesting, "that as the king was now near the age at which his grandfather had taken upon him the government, he might be declared major (that is, of age), and assume the direction of the state, with the assistance of the chancellor, treasurer, privy-seal, chamberlain, and steward of the household, appointed by the house." They likewise prayed, "that a commission might be granted to certain persons to survey and examine, in all courts and places, the state of the revenue, the expences of the king's household, and the conduct of officers, &c." Another petition was against the numberless papal provisions, expectations, and reversions, which had, from the time of Clement V. done infinite damage to the nation: this was occasioned by the rapacious conduct of the then pope, Urban V. who had lately

bestowed the archdeaconry of Bath upon the cardinal of Cisteron, a professed enemy of the English; gratified another with the priory of Denhurst, and granted a great number of provisions to foreigners, in violation of the agreement between the late king and that pontiff's predecessor. This occasioned a statute to prevent the farming any benefices granted to aliens*. Another statute was also made, to lodge the power of justices of the peace in a new commission. After having made these regulations, the parliament voted a considerable aid, and continued the subsidy on wool for a year longer, and then broke up their session; but not till they had presented a petition, praying that another parliament might not be called, to charge the poor commons till that time two years.

On the first of March, this year, a league offensive and defensive, was concluded between Richard and the duke of Brittany, by which it was provided "that all places conquered by the joint troops of the two powers, should belong to the duke and his heirs, without any dispute: it was also agreed, that neither of the contracting parties should make peace without the consent of the other." This treaty, however, was soon rendered ineffectual by the perfidy and ingratitude of the Bretons.

It was now resolved to support the duke in a powerful manner. The ministry equipped a new armament, and Thomas of Woodstock, earl of Buckingham, was appointed commander in chief of the army, which consisted of three thousand archers, and as many men at arms, with their followers, and a numerous body of infantry: he was accompanied by the lord Bassett, sir Thomas Piercy, sir Hugh Calverly, sir John Harleston, sir Robert Knolles, sir William de Windesore, and a great number of young gentlemen as volunteers. By some unaccountable delay, however, it was the latter end of July before the earl landed at Calais, where having tarried a few days to refresh his troops, he began his march, penetrating into the heart of France, extending his ravages through Picardy, Champagne, Brie, Beauce, the Gatinois, and the county of Orleans, till he joined his allies in the province of Brittany: the duke of Burgundy, with an army greatly superior to that of the English, endeavoured to oppose his progress; but the French were so intimidated by the former successes of the English, that no superiority of numbers could encourage them to hazard a general engagement with the troops of that nation.

In the mean time the constable du Guesclin having persuaded Charles V. that his wisest course was to detach the duke of Brittany from the interests of England, by compromising all differences with him, and taking him into favour, that prudent monarch listened to this wholesome advice; and the duke of Brittany being informed of the dispositions of the French monarch, readily joined in the proposal, glad of being able peaceably to enjoy his duchy, which he could not hope to do so long as France continued his enemy; and notwithstanding he knew that the earl of Buckingham was in full march to his assistance with a fine army, and notwithstanding the treaty he had so lately concluded with Richard, he suffered his interest to get the better of his honour and gratitude, and entered into a private negotiation with the court of France. The effects of

* Stat. 3 Rich. II. cap. iii.

this double-dealing were soon felt by the earl of Buckingham, who had by this time formed the siege of Nantes, and who, after lying two months and more before the place, without being joined by any of the Bretons, was at last obliged to raise the siege, and put his army into winter-quarters in the neighbourhood of Vannes. The duke of Brittany attempted to make an apology for his conduct, but the earl of Buckingham soon discovered the true motive of his behaviour, of which he took care to acquaint his court, who resolved to send, in the ensuing spring, a powerful army to reinforce the earl, and enable him to act against France, independent of the assistance of this backsliding ally.

On the sixteenth day of September, this year, died Charles V. king of France, leaving his throne to his son Charles VI. a minor under twelve years of age. This event might have proved of considerable advantage to the English, had the duke of Brittany continued firm to his engagements; but thinking it the safest way to take advantage of the confusion of the court of France in the beginning of a minority, he quickly concluded a treaty with the new king, who granted him all he could desire.

The posture of affairs being entirely changed by this agreement, and the duke of Brittany having no farther use for the English, sent a deputation of his nobility to the earl of Buckingham, desiring that nobleman to give him a meeting at Rennes; which the latter complying with, the duke, after some specious apologies, in which he affected to lay the blame of all that had been done on his subjects, who, he said, had compelled him to take this step, concluded with acquainting him that the states of Brittany had come to a resolution of not suffering the English to remain in their country longer than the first opportunity they had of departing, for which purpose he made the earl an offer to provide him with transports to land him and his army safely in England. The earl could not help losing his temper on this occasion, and severely reproached the duke and his people with their clandestine conduct and want of good faith; but, after all, was obliged to submit to the necessity of the juncture, and, the ships being ready for him, he embarked with his troops, and landed safely in England on the third of April, 1381.

The duke of Brittany having done homage to the new king of France for his duchy, in the same manner as he had done to his father heretofore, was reinstated in the full possession thereof; and, moreover, it was agreed, that the earldom of Montfort should be restored to him, on his doing homage for the same, and taking an oath that he would for the future become a good and loyal subject to the king and kingdom of France, and join with him against the king of England, the king of Navarre, and all the enemies of France*.

Thus ended this expedition, which had fruitlessly cost the English much blood and treasure. Walsingham, on this occasion, laments "the senseless folly of the English, in being ready at every one's call, to spend the blood and treasure of their nation, and brave the greatest dangers and fatigues in foreign countries, to serve a false and ungrateful ally, who, instead of requiting them for their generous goodness, or acknowledging their services, wished them gone the moment they arrived to their

relief†." Happy would it have been for this country, had no later historian found reason to make the same melancholy observation! The English, however, comforted themselves on this occasion, that they had still in their hands Brest and Cherbourg, which all the power of France could not force them to give up.

While the earl of Buckingham was employed in this unsuccessful expedition, the Scots made repeated irruptions into the northern counties, which they ravaged with fire and sword; and the English government, instead of exerting themselves to punish these insolent and cruel invaders, meanly proposed a treaty of peace, which was gladly embraced by the Scots, and was finally concluded for three years by the duke of Lancaster (who had a commission for that purpose), on the sixth of September. The duke was universally charged with being the adviser of these inglorious measures, that his nephew's arms might be more disengaged to serve his own views upon the crown of Castile, to which he laid claim in virtue of his marriage with Constantia, eldest daughter of Pedro the Cruel.

On the fifth of November, this year, 1381, a parliament was summoned to meet at Northampton, notwithstanding that the court had promised that one should not meet again under a twelvemonth. Here the crown made a demand of no less than one hundred and sixty thousand pounds, an unheard-of sum in those days, to be raised within the year. Accordingly it caused exceeding warm debates in the assembly; but the necessity of a supply to provide for the public exigences being evident, it was agreed by the lords and commons, to give three groats of every person in the kingdom, males and females, of the age of fifteen years, of what condition and estate soever they were, except mere beggars, the sufficient people in every town to contribute to the assistance of the less able, so as none paid above sixty groats, including those for himself and wife. Two parts of this tax was to be paid fifteen days after St. Hillary, and the other at Whitsuntide next after.

This resolution being agreed to, the court, in order to levy the money more speedily, farmed out the grant of this tax to a set of rapacious persons, who extorted the same with great rigour from the people; and this severity excited a mutiny, which had well nigh destroyed the English constitution.

The insurrection began in Kent, about Whitsuntide, 1381; where one of the collectors coming to the house of a tyler at Deptford, of the name of Walter, and afterwards better known by that of Wat Tyler, demanded twelve pence, or three groats for one of his daughters, which the plebeian refused, urging that she was under the age prescribed by act of parliament; but the insolent tax-gatherer insisting upon satisfying himself as to her puberty by an indecent action, Tyler in a rage beat out the fellow's brains with a hammer. Knowing that he must suffer for this fact, he endeavoured to defend himself by engaging his neighbours in a like resistance against those publicans. In this he had all the success he could desire: his cause was immediately espoused by all the populace of the neighbourhood, who instantly took up arms, and being joined by the peasants of Essex, Surry, Suffex, Hertfordshire, and other

* Daniel, Hist. de France sous Charles VI. Nouvelle Hist. de Bretagne.

† Page 242.

neighbouring counties, who all thought themselves aggrieved by the tax, and the manner of its being collected, they in a short time took the field to the number of an hundred thousand; and having chosen Wat Tyler for their head, they marched in a body to Blackheath. The duke of Lancaster was then on the borders of Scotland: his army had just been disbanded, in consequence of the treaty of peace with that country, and the number of regular troops in the kingdom was very inconsiderable; so that the government was in the greatest consternation, having every thing to fear from this lawless rout. A council was called, in which it was resolved that the king should send a message to enquire the reason of this tumultuous meeting; when the mutineers returned for answer, "that they were come to speak with him about certain important affairs, and desired he would come and hear what they had to propose." Upon this insolent answer being brought to the court, there was a debate in the council, whether the king should treat in person with the rebels, and thereby induce them by gentle promises to lay down their arms: as there was no prospect, from their formidable numbers, to quiet them in any other manner. The archbishop of Canterbury, and sir Robert Hales, master of the order of St. John of Jerusalem, opposed this measure, as they thought it both unsafe for the person, and derogatory to the dignity, of the king to treat with such ruffians: but it being represented to the court that they were in full march for the city of London, the magistrates of which declared it would be impossible to deny them entrance, the young king actually went down in his barge, with his attendants, as far as Rotherhithe, and held a conference upon the water with some of their heads, who invited him to come on shore; but this proposal being rejected, their indignation was violently raised against the courtiers and counsellors of the king, to whose representations they imputed this refusal. They now proceeded to London, opening all goals in their way and setting free the prisoners, who joined them; and the magistrates of the city were now obliged to throw open the gates of the bridge, to give them admittance, the rabble threatening, in case of a refusal, to burn the suburbs first, and then the capital itself to the ground. Having thus got entrance into London, they gave a loose to the greatest excesses, plundering the houses of the richest citizens, and abusing their persons and those of their wives and daughters: a part of them ran to the duke of Lancaster's palace, in the Savoy, to which they instantly set fire; and this pile, the most superb in all England, was burned down, and all the rich plate, with the moveables, consumed in the flames. They next beheaded all the gentlemen that came in their way, butchered all the lawyers and attorneys, whom they particularly hated; and the Temple, with the magnificent priory of St. John of Jerusalem, at Clerkenwell, with all the furniture, records, books, and

papers in both, underwent the fate of the Savoy-house.

The next day they divided themselves into three bodies; one under a leader, named Jack Straw, the next in authority to Wat Tyler, went to Highbury Manor, lying two miles to the north of London; and another division went to Mile-End-Green; and another body cantoned themselves in St. Catherine's and all round the Tower, to prevent the escape of the ministers and noblemen who had taken shelter there, and whom they had voted to destruction. The king, who had also taken up his quarters in the Tower, for the greater security of his person, being informed that the party at Mile-End, consisting chiefly of the Essex men, seemed to be the most tractable, resolved to go and treat with them in person; and having found means to get out of the Tower unperceived by Tyler or his party of Kentish men, who surrounded it, but were all tumult and disorder, he repaired to Mile-End, and demanded of that body, what they would have; telling them, that he was their king, and that he was come to hear and redress their grievances. They insisted upon a general amnesty; the abolition of all bondage; liberty of trade in all market-towns without tolls or imposts; and stated rents on lands, instead of the service required by villanage. These requests the king was obliged to assent to, with a seeming readiness, provided they would lay down their arms and return home. This compliance of the king gained so much upon the Essex men, that they instantly dispersed, and returned to their several habitations, leaving a few of each parish in their county, to carry down with them the charters of freedom and general pardon to be granted them*.

While the king was holding this parley with one party of the insurgents, those posted round the Tower, under Wat Tyler, demanded admittance into the place: there were within the Tower at that time no less than twelve hundred of the best troops in England; but, by an unaccountable pusillanimity, they refused to defend the place, upon which the gates were set open, and the rebels entered, whose behaviour on this occasion was equally brutish and barbarous: Simon Sudbury, the archbishop of Canterbury and chancellor, was the first who fell a victim to their fury, being dragged to Tower-hill, where his head was struck off, and his lifeless corse insulted in the most inhuman manner. The lord-treasurer, sir Robert Hales, was next murdered; as was Legg, the Flemish farmer of the late tax.

And now the rebels having tasted of blood, grew ravenous after more; and they beheaded, or otherwise murdered, numbers of persons, both Englishmen and foreigners, who were obnoxious to them. At length, however, the more reputable citizens of London began to recover from their consternation: Walworth (who was that year lord mayor) and the gallant Philpot promised the king that they would support him against the rebels, provided they could

* The form of these charters was as follows:

"Richard, by the grace of God, king of England and France; and lord of Ireland, to all his bailiffs and faithful subjects to whom these presents shall come, greeting. Know ye, that, of our special grace, we have manumitted or set free, all and singular our liege subjects, and others, of the county of Essex; and them, and every of them, from all bondage do quit and release by these presents; and also we pardon to all our said liegemen and subjects all manner of felonies, treasons,

transgressions, and extortions, by them, or any of them, in any manner whatsoever done or committed, and all and every outlawry and outlawries, if any be, or shall be, published against them or any of them, for or by occasion of the premises, and do therefore, to them, and every one of them, grant our highest peace. In witness whereof we cause these our letters to be made patent. Witness ourself, at London, the fifteenth of June, in the fourth year of our reign." Walsing. p. 254.



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K. Richard appeases the Rebels after the Death of Wat Tyler their Leader.



J. Wale delin.

C. Grignon sculpt.

*To the R^t Hon^{ble}
Earl of
This Plate is most*



*Bromlow Cecil
Exeter
humbly Inscribed.*

be for some time amused with proposals. Richard, therefore, on the fifteenth of June, sent one of his domestics, sir John Newton to acquaint the rout under Tyler, of the terms he had granted the Essex men, who, in consequence thereof, had retired peaceably home; and that upon the same compliance they might have the same terms: but the savage plebeians, flushed with their late successes, had formed the design of murdering the king and all his nobles, and burying all the government in a general anarchy; Tyler, therefore, made no other reply to the king's message, but that he would consent to a peace, provided he liked the terms. Upon this Richard sent him three charters, one after another, in the space of a few hours, all which were rejected with the most provoking insolence. At length the king rode out to Smithfield, attended by the lord mayor and other officers of the city, and sent sir John Newton again to the demagogue, to invite him to a conference in that place, that he might know his demands, and, if possible, satisfy them. Tyler then began to move towards the place, with his followers, but so slowly, that Newton desired him to quicken his pace, as the king waited for him: "Haste then yourself (replied the insolent rebel), I shall take my own time." The truth is, Tyler was as willing to gain time as the king was, for he expected a strong reinforcement from Hertfordshire and the adjacent counties the next day, or the day after. His shuffling delays, however, happily terminated in his own destruction; for by this time the magistrates of London had got together a body of well-armed and well affected citizens; and sir Robert Knolles arrived the day before in the city, at the head of a thousand veterans, who lay ready to act upon occasion. When Tyler came into the royal presence he never offered to alight from his horse; and sir John Newton putting him in mind of what decency and duty required of him in the presence of his sovereign, the traitor was so offended with his freedom that he would have plunged his dagger into his heart, had not the king, suddenly advancing, drawn off his attention by demanding of him what he had to request? Tyler made such extravagant proposals, that Richard knew not what to say to him: he demanded, in short, that all the ancient laws should be abolished, and the government modelled according to certain fantastical notions framed by himself; moreover, that all bondmen should be set free; that all warrens, parks, and chaces should be open and common to all, so that the poor as well as the rich should have liberty to fish, fowl, and hunt in all places throughout the kingdom: these, and several other proposals, he made in such a wild and unconnected manner, that Richard did not well understand him; and this audacious rebel, construing his silence into a contemptuous refusal, lifted up his dagger as if he meant to strike the king with it, and even laid hold of his bridle; upon which Walworth, the mayor, who had with difficulty curbed his indignation during the former part of this extraordinary conference, rode up to Tyler, and discharged so violent a blow upon his head with the mace he carried in his hand, that the arch-rebel tumbled senseless from his horse, when Philpot with his sword dispatched him entirely.

The Kentish men seeing their leader fall, cried out, "Our captain is killed; let us revenge his death!" and bending their bows, prepared to let fly a shower of arrows against the king and his attendants, which might have slain the greatest part of them, had not young Richard, with an admirable interpidity and presence of mind, rode up alone to the incensed multitude, whom he addressed with a chearful yet resolute air, saying "What is this, my lieges? what are you about to do? would you kill your king? Give yourselves no concern about the death of that traitor; I will be your captain: follow me, and you shall have whatever you can reasonably desire." Upon saying these words, he gently turned his horse, and, putting himself at their head, rode towards the fields of Islington. The mob were so confounded with the bold action of Walworth, and the death of their leader, and so over-awed with the presence and magnanimity of the young king, that they followed him, almost mechanically, without knowing whither they were going; but they were no sooner come into the fields, than they saw marching towards them a troop of two thousand armed citizens and veteran soldiers, headed by sir Robert Knolles: this sight struck them with such terror that they imagined the whole city was in arms to attack them; and the foremost ranks throwing down their weapons, called out for mercy. This proceeding so frightened the rest, who knew not the cause, that in an instant they were all on their knees, suing for the royal pardon. Sir Robert Knolles would have persuaded the king to put a number of them to death, in order to strike a terror into their companions in other parts of the kingdom; but the king, with equal justice and lenity, observed that as many had joined them more from force than inclination, he was not willing to confound the innocent with the guilty by an undistinguished carnage: and granting them the same charters with which he had indulged the Essex men, this whole multitude dispersed without the effusion of any blood but that of their leader. The king now returning to the city, conferred the honour of knighthood on Walworth, the lord mayor, John Philpot, Nicholas Brambre, and Robert Laund, aldermen, for their signal services on this occasion; and likewise bestowed grants in land of one hundred pounds per annum to the first, and forty pounds to the others, to them and their heirs for ever*.

History can hardly parallel an event so singular as this, and attended with such extraordinary circumstances; and we cannot without wonder behold a single man, as the mayor of London, dare to kill a successful rebel, at the head of thirty thousand of his followers, flushed with blood and slaughter; nor is it less surprising to see a young prince, barely sixteen years of age, possess such a presence of mind and resolution, and that his boldness should produce so happy an effect: in fine, that such a numerous multitude, in the very height of their prosperity, and having trampled upon all opposition, should disperse on a sudden by a panic fear, at the sight of a few armed citizens: these things, I say, cannot be considered without the greatest astonishment; and the cause can only be ascribed to Him who holds the hearts of the people in his hand. Indeed, had Tyler possessed common sense,

* It is a common notion that the dagger was added upon rather St. Paul's sword. See his Survey, lib. ii. p. 186.

this account to the city arms: but Mr. Stowe thinks it to be

may, had he survived that day, the laws and liberty of England would have met their final overthrow: the Hertfordshire rebels were in full march to join Tyler when they heard of his death. The nobility and gentry of the several counties being informed of this insurrection, which threatened the kingdom with instant ruin, hastened up to London with their vassals and adherents; and Richard had soon an army amounting to forty thousand men. The rebels, after some little resistance, were every where glad to lay down their arms, and submit to the king's mercy. The charters of enfranchisement and pardon were revoked by another charter, dated the second of July; the low people were reduced to the same state of submission and dependence in which they formerly had been placed; and several of the ringleaders were executed in different parts of the kingdom.

Some prejudiced monkish writers have ridiculously pretended, that Wickliff and his doctrines had a principal effect in spurring up the minds of the people to this insurrection: but this event may be accounted for upon the principles we have already suggested, namely, the impolitic taxes, and still more impolitic method of collecting them, laid on by the two last parliaments; and every historian of credit concurs in acknowledging that these insurrections were the desperate efforts of ignorant plebeians, to emerge from a state of villanage and slavery: and that they were excited to rebellion by one John Ball, a fanatic priest, who inflamed them with sermons and quaint rhymes, extremely well calculated to work up the minds of ignorant rustics to fury and enthusiasm*. This busy priest, at the place of execution, made the following confession of the plan which had been laid by the rebels, had they succeeded in their work: they were to have seized the king's person, and carried him about with them through the several counties of England, as a sanction to their proceedings: to have murdered the nobility, gentry, lawyers, and even all the bishops and priests, excepting the Mendicant or Begging Friars: last of all they were to have dispatched the king himself; and, after forming a digest of laws of their own, to have elected one of themselves king over each county in England, Wat Tyler having been appointed for Kent. Having conducted this rebellion to its period, we shall now attend the affairs of England in other quarters.

During these commotions, the duke of Lancaster was in the North, managing the treaty with the

Scots, who were thereby engaged not to take advantage of the troubles in England; and the duke having received the news of the outrages the rebels had committed upon his palace, and the bloody revenge they vowed against his person, he could not think of returning to court; and being also fearful of giving the northern counties a pretence to imitate the southern, if he staid in the kingdom, he desired leave from the court of Scotland to reside some time at Edinburgh, till the storm was blown over. The king of Scotland not only cheerfully granted his request, but even offered him twenty thousand men to suppress the rebels. This the duke refused, wisely judging that, as he was already so unpopular, by introducing of foreigners into the kingdom he might occasion a general revolt: but not all his caution could prevent the tongue of malice from wounding his reputation in the most sensible part; and there were not those wanting who spread a report, that he designed to march to London at the head of a Scottish army, and seize the crown; an accusation equally base and groundless. Much about this time, likewise, he received a gross affront from his obliged friend the earl of Northumberland, who could not conceal his resentment at the duke's condescension with regard to the Scots, and denied him a passage through his estates, and had even refused to admit his duchess into one of his castles, by which she had been obliged to travel twenty miles by night before she reached Knareborough.

At length the duke of Lancaster receiving letters from his nephew Richard, acquainting him with the rebellion being suppressed, and inviting him back with the most cordial expressions of friendship and esteem, he set out for England, and arrived at Berkhamstead, where the court then was. The first thing he did, was to complain in bitter terms of the earl of Northumberland's behaviour; nor did he scruple to charge him openly with treasonable designs: upon this the earl being sent for to court, and the duke repeating the charge in his presence, the former was so incensed, that he gave a loose to expressions so offensive to majesty, that the king instantly ordered him under arrest; but he was bailed out by two noblemen, his friends, who offered themselves as securities for his peaceable appearance at the ensuing parliament, which was to meet on the eighth of November. In the mean time Richard laboured so heartily to reconcile these two powerful subjects, that at length he, though not

* Some of these, as transmitted by Knyghton, cannot but be agreeable to the reader, who will thereby be enabled to judge of the wit and language of the common people of England in the days of Chaucer. The common topic of this Ball, in his preachments to the rabble, was this distich:

"When Adam dalfe, and Eve span,
Who was then a gentleman?"

A Letter of John Ball, to the Commons of Essex.

"John Sheep, sometime St. Mary priest of York, and now of Colchester, greeteth well John Nameless, and John the Miller, and John the Carter, and biddeth them beware of evil in Borough, and stand together in God's name, and chastise well Hob the Robber. John the Miller hath yground small, small, small; the king's son of heaven shall pay all."

Another:

"John Ball gretyth you well all, and doth you to understand that he hath rung the bell; now ryght and myght, wyll and skyl. God spede you every dell. Now is tyme, falseness and gile haveth reigned too long, and trewth hath been set under a lokke, and falseness and gile reigneth in everylk flokke, and clerks for welth worth them woe. God do bote, for nowze is time."

I shall here subjoin a critical remark made by Mr. Anderson, in his excellent Treatise upon Commerce, &c. in relation to the names given to, or assumed by, the chiefs of this rebellion. "Surnames (says my author) were indeed become common long before this time; yet those of Jack Straw and Wat Tyler were undoubtedly given them from their respective trades, Jack Straw being a thatcher, and Wat Tyler a tyler or slater by business: possibly they might have had proper surnames, although our historians, by way of contempt, give them [he might have said, that by way of expressing the common level to which they purposed to reduce all ranks of people, they themselves assumed] these names: yet to shew the ignorance and carelessness of many of our English historians, in relating one fact of this insurrection, which happened at Norwich, they bestow a surname on one John, a ringleader there, who was a dyer by trade, calling him John Littster, a dyer: whereas the word Littster then signified a dyer; and To litt, signifies To dye, in the old Saxon dialect. It is strange, that so far back as Stowe and Speed, they could not have hit upon this undoubted signification of that word." Anderson's Orig. of Commerce, vol. i. p. 209.

without great difficulty effected it; but the earl of Northumberland was obliged to make concessions to his antagonist.

The parliament, being met on the appointed day, proceeded to business. Their first act was to repeal the grant of manumission of villains or bondmen, made by the king during the late insurrection: but afterwards coming upon the topic of grievances, and a dispute arising between the house and the king, in relation to the form of certain pardons, the assembly was adjourned till after Christmas.

In the year 1379, a treaty of marriage had been set on foot between the young king and the daughter of Barnabas Visconti, duke of Milan, which proving abortive, ambassadors had been sent in the preceding year (1380) to demand for him Anne, daughter of the late emperor Charles IV. and sister to the reigning emperor Wenceslaus, king of Bohemia; and a treaty of marriage was accordingly concluded on the second of May this year (1381). In this treaty the king's council appear to have had more regard to the merit of this princess than to her fortune; for, instead of Richard's receiving any thing with her as a dowry, he gave the emperor her brother no less than ten thousand marks, or eighty thousand florins, for his alliance, and was also at the whole expence of her journey over to England, where she arrived about the latter end of December, and was married to the king, in the chapel royal at Westminster, on the fourteenth of January, 1382, at which time she was also crowned with great solemnity †.

As soon as the rejoicings on this occasion were over, the parliament met again, according to their adjournment; and the subject of the late differences between the king and the house being adjusted, it was agreed to grant the crown a continuance of the subsidy upon wool, leather, and woolfells, until the feast of St. John Baptist (June 24) ensuing, and from thence for four years. It was at the second meeting of the parliament that the duke of Lancaster proposed to make a voyage into Portugal, if he might be furnished with sixty thousand pounds for the pay of two thousand men at arms and as many archers for six months, offering to repay the said sum within three years. His view herein was not so much to assist the king of Portugal, between whom and Spain a war had lately broken out, as to make good his own claim to the crown of Castile, an object which was always uppermost in his mind. This proposal met with long and great debates among the lords, but a party, both there and among the commons, opposed it so strenuously, that the duke found himself obliged to drop it.

Richard being now in his seventeenth year, began to give many proofs of an inclination to act independent of any controul, even that of the laws themselves. Many circumstances that escaped him, gave the parliament to understand that he was possessed with arbitrary notions, and it was not long before they knew it by experience; for having petitioned that sir Richard Scroop should be made chancellor, the king could not refuse their request, but resolved to get rid of him as soon as possible. An opportunity soon offered for him to put his purpose in execution: Edmund, earl of

Marche, grandson of the famous Roger Mortimer, dying this year, a great estate reverted to the crown, which Richard had the imprudence to bestow among the train of craving flatterers with whom he was surrounded; but the chancellor, being applied to, to annex the great-seal to these grants, honestly refused, saying, "that his duty would not allow him to prostitute an office in which he was invested by the great council of the nation, to such purposes, nor annex the great-seal, committed to his charge, to grants of the nature of those, till the king had acquired more experience." Richard, upon this refusal, took the seals from him, and Braybrock, bishop of London, was made chancellor in his room. This action gave great discontent to the parliament and the nation in general, who now began to perceive that Richard was a prince capable of falling into great excesses, unless timely care was taken to bridle his passions.

For this purpose the parliament thought proper, among several salutary acts they passed, to make one for the more faithful return of members to parliament, which, as in latter times, was then most shamefully abused, by electing such persons only as were acceptable to the ministry or the crown; and who, for the profits or pleasures of basking in regal sunshine, basely betrayed the true interest of their constituents and their country, by absenting themselves from their duty when it was most wanted.

Upon the rising of the parliament, conferences were held between plenipotentiaries appointed by England and France, about a peace: and the negotiations advanced so far, that a short armistice, or cessation of arms, was agreed upon; but a final treaty was prevented by a schism in the church, which divided all the potentates of Europe: nor would this period of our history be complete without some account of this event.

Upon the decease of pope Gregory X. (in the year 1378) there were only sixteen cardinals in Rome, eleven French, one Spanish, and four Italians. The people of Rome, notwithstanding their passion for liberty, and their hatred to their masters, were desirous of having a pope who would reside at Rome, because they hated the French and Germans still more than they did the popes, and because the presence of the pontiff always brought wealth into the city. The people in this mood threatened to destroy the cardinals if they gave them a foreigner for a pope. This menace had such an effect upon the cardinal-electors, that they chose Brigano, bishop of Barri, a Neapolitan, pope, who took the name of Urban VI. He was a mad and passionate man, consequently very unfit for such a dignity: and no sooner was he in possession of the tiara, than he declared, in full consistory, that he would punish the kings of France and England, for being the disturbers of the peace of all Christendom by their quarrels. Cardinal de la Grange, a Frenchman, and a person of as violent a disposition as the pope himself, shaking his fist at him, told him "he lied!" This one rash word involved all Europe in a confusion which lasted forty years.

Most of the cardinals, even the Italians themselves, shocked at the brutal disposition of a person so unfit for governing as was Urban, withdrew to Fondi, in the kingdom of Naples, where they

† Tyrrel, p. 871. Rymer's *Fœdera*, vol. vii. p. 296, 301336.

declared the election of a pope made by violence to be, ipso facto, null and void; and proceeded unanimously to the election of a new pontiff. On this occasion the French cardinals had the uncommon satisfaction of outwitting their Italian brethren, three of whom still remained with Urban: they all joined in a letter to each of these three, assuring him to whom each letter was delivered, that they would make him pope if he came to Fondi, but recommending to him at the same time to bring the other two with him, and to observe the greatest secrecy. The three Italians swallowed the bait, and, notwithstanding all Urban's endeavours to retain them, joined the conclave at Fondi; but, to their great surprize, on the twenty-first of September, 1378, the election fell upon Robert, son of Amadeus III. count of Geneva, who, at his exaltation, assumed the name of Clement VII. The new pontiff was a man of great parts, eloquent, polite, liberal, and allied to most of the princes of Europe, which, upon this occasion, became divided. The emperor Wenceslaus, England, Flanders, and Hungary, acknowledged Urban, who was also obeyed in Rome and Italy; France, Scotland, Savoy, and Lorraine, declared for Clement. All the religious orders were divided: the doctors all wrote, and the universities issued out decrees. The two popes bestowed on each other the appellations of Anti-christ and Usurper, and proceeded to mutual excommunications. But what rendered this dispute truly horrible, was that they fought with the complicated fury of a civil and religious war. A body of troops which Clement's nephew had raised in Gascony and Brittany, marched into Italy, surprized the city of Rome, and, in the first transport of their rage, put every one they met with to the sword. But the people of Rome, recovering from their consternation, rallied, and, turning upon their assailants, killed every man of them that had entered the city; after which they butchered in cool blood all the French priests they found. Soon after this, another army of pope Clement's, raised in the kingdom of Naples, appeared within a few miles of Rome, and offered battle to Urban's forces. Each of these armies carried St. Peter's keys in their ensigns. Clement's troops were defeated; but the quarrel did not end here, this dispute not being confined wholly to the interest of the two pontiffs. The court of France made use of pope Clement to preach up a crusade, this year 1382, against Richard and his subjects; while pope Urban not only fulminated his excommunications against all the adherents of Clement, but sent over a commission to Henry Spencer, bishop of Norwich, putting him at the head of a crusade, for fighting and subduing all the supporters of his rival. With this commission the pope sent him plenary powers, as his legate, to grant the same indulgences to all who engaged in the undertaking, as those who bore arms against the Infidels. The form of this absolution to which they were entitled, will be found in the note*.

The effect produced in England by the publication of this crusade was such as answered the pontiff's wishes. The nobility, gentry, clergy, and almost all ranks of people engaged in it with the same ardour as if they had been to wage war with the enemies of the Christian name, whilst they waited for the parliament's approbation, which was not at all doubted; every one was diligently preparing to obtain the promised indulgences, either in serving in person in the war, or by contributing money for promoting the same†.

The parliament, which met in the beginning of the year 1383, was opened by a speech from the bishop of London (Braybrock), expressing the occasion of their meeting to be to prevent the progress of the French in Flanders, which country they had almost entirely over-ran, and were meditating a design against Calais: the bishop farther told the house that the king was ready to go in person into France with a royal army for the relief of Ghent, the only place in Flanders that yet held out against the French arms; and desired their advice thereupon; as also how he might best provide for the performance of his design. After the commons had taken two or three days to deliberate upon this matter, which was of so important a nature, and so nearly concerned the royal person, they presented a petition to the king, "praying that he would grant certain prelates, earls, and lords, named by them‡, to confer with them about it." which request being complied with, the committee accordingly met, and, after long debates, they, by James Pickering, their speaker, gave for answer, "that the king's passage, and the providing for his voyage, or any other great voyage, belonged not to them, but to the king himself and his great lords; yet, by way of advice, they begged leave to observe, that, considering the unsettled state of the realm, that the truce with the Scots was near upon expiring, and that those people were raising great forces towards the borders, so as to make it doubtful whether they would comply with any future proposals of peace, or truce, they thought that neither himself, nor any of his uncles, the duke of Lancaster, the earl of Cambridge, nor Buckingham, could be spared out of the realm until that, and the borders aforesaid, were well quieted and settled: but advised that the king would accept the offer of the bishop of Norwich to raise three thousand men at arms and the like number of archers, well mounted, to relieve Ghent and reduce Flanders, upon condition he might have the fifteenth and tenth granted by the laity and the clergy, and the two shillings per ton upon wine, and six pence in the pound upon goods, for the guard of the sea; all which they were ready to grant him." To this proposal the king assented, and the bishop was, by the universal voice, chosen general of the expedition against France: but, on consideration that the duties above-mentioned were appropriated to the guard of the sea, and could not well be dispensed with from that service, the

* By apostolic authority to me committed, I do absolve thee, A. B. from all thy sins which thou dost, with thy mouth, and with a contrite heart, confess, or wouldst if thou couldst remember them, and give thee full remission of them; and promise thee, with the retribution of the just, the increase of eternal salvation. And I do also grant to thee the same privileges that are granted to such as go to the defence of the Holy Land; and do impart to thee the benefit of the prayers and suffrages of

holy catholic church. Walsingham, p. 295.

† Volt. Gen. Hist. vol. ii. Walsingham. Rapin. Froissart.

‡ These were the archbishop of Canterbury, the bishops of Ely and Hereford, the earls of Cambridge, Stafford, and Northumberland, the lords Neville, FitzWalter, and Cobham. Rot. Parl. 6 Rich. II. p. ii. n. ii. 11, 20.

bishop thought fit to amend his proposal; accordingly, on the twenty-fourth of February, he gave in the following, viz. "That he would serve the king one year with two thousand five hundred men at arms and the like number of archers, well arrayed and mounted, for the whole fifteenth granted by the lords; of which number one thousand men at arms, and one thousand archers should be ready to pass the sea to the relief of Ghent and the country of Flanders, within twenty days after the first payment, and that he would take upon him to pay the charge of shipping and other expences." This proffer was accepted by the king and his council, and much approved by the commons.

When all was ready, the bishop embarked his troops, consisting of fifty thousand foot and two thousand horse, and arrived at Calais on the fourth of May, where he staid some time, expecting to be joined by a farther reinforcement, under William de Beauchamp, whom the king had appointed his lieutenant, or (according to Froissart, from whom we have the most intelligible account of this expedition) marshal of the army. It is to be observed, that the bishop's crusade had interfered with the views of the duke of Lancaster, who had made an offer in the parliament to go into Spain for half a year, with two thousand men at arms and as many archers, if the house would supply him with forty-three thousand pounds towards the charges of his expedition, which proffer had been rejected in favour of the bishop's. This had raised the duke's resentment, and made him resolve, if possible, to frustrate that prelate in his enterprize: with this view he had put a stop to Beauchamp's going over. The bishop, impatient of waiting to no purpose, and finding that he was neglected by the English court, took the field, and attacking Gravelines, carried it by a desperate assault. The inhabitants of Dunkirk, intimidated by this success, opened their gates to the victor. Bourbourg, Cassel, Berg, Furnes, Nieuport, Ostend, Blankenberg, with all the towns on the sea-coast as far as Sluys, followed the fate of Dunkirk and Gravelines, where the count of Flanders, who was entirely under French influence, prepared to give this mitred chieftain battle, who, having been by this time joined by the gallant sir Hugh Calverly, marched out to meet his antagonist, with full confidence of success from the enthusiastic disposition of his followers; nor did the event deceive his hopes: an engagement ensuing, the count was totally routed; and the bishop, hearing that the king of France, with an army of one hundred thousand men, was on his march to check his progress, made a general muster of his forces, which he found to amount to near ninety thousand, by the continual arrival of fresh crusaders from England: most of those, however, were of the very dregs of the people, alike ignorant of military discipline, and impatient of command; so that when it was resolved in a council of war to hazard a pitched battle with the king of France, there was a set of mutineers in the army, who publicly declared they would not march into France, until they should have taken Ypres, where they expected immense plunder. Thus the bishop, much against his inclination, and contrary to his judgment, was obliged to undertake the siege of that place; a step which in the end proved fatal to his enterprize.

This town was very strongly fortified, and the besieged made so gallant a defence, that for nine weeks it bid defiance to all the efforts of the English army. Many furious assaults were given, which were as obstinately resisted, and the English in most of them repulsed with great loss, so that at length the bishop found his numbers greatly decreased; and the licentious behaviour of his troops convincing him that nothing of consequence could be effected with such madmen, and hearing that the king of France was advancing towards him with a numerous and well disciplined army, he found it absolutely necessary to abandon the siege and retire towards Dunkirk, which he did with such precipitation as to leave all his artillery and ammunition a prey to the enemy.

Sir Hugh Calverly and sir Thomas Trivet, with a corps of four thousand men, threw themselves into Bourbourg, which was immediately invested by Charles, who summoned them to surrender, on pain of being put to the sword without mercy. But the besieged continued to make such a gallant defence, that Charles, not willing to lose time before the place, granted them an honourable capitulation, in consequence of which they retired to Calais.

The French king then marched to Gravelines, whither the bishop had retired from Dunkirk, and who appeared determined to make so vigorous a defence, that Charles offered him fifteen thousand marks if he would evacuate the place, with liberty to demolish it, and to go with his troops wheresoever he pleased, as also to carry with him all his effects. The bishop, finding the courage of his crusaders considerably cooled, demanded a truce for forty days, at the end of which he agreed to deliver up the place. This being granted, the prelate sent over to England to solicit a reinforcement, with which he promised to give the king of France battle.

Richard was by this time immersed in all the riot and debauchery of unthinking youth, while a train of pernicious sycophants studied only how to minister to their sovereign's vicious passions, and inspire him with an aversion to business, in which they but too well succeeded. He was deep engaged in a debauch with a party of these riotous favourites, at Daventry, in Northamptonshire, when the bishop's letter arrived: in an instant he started from the table, called for his horse, and posted away for London, breathing destruction to France, and personal defiance to Charles. When the vapours of wine and senseless riot were a little subsided, and he could think with some degree of coolness, he sent for his uncle Lancaster, and appointed him to take the command of an army that was to be sent to the relief of the bishop; but the duke, from the motives above related, proved so dilatory in his preparations, that the term obtained by the bishop elapsed, and this gallant prelate was obliged to embrace the offers of the French king; and having dismantled Gravelines, retired to Calais, from whence he returned to England, with the wretched remains of his army, a little before Michaelmas.

Thus ended this memorable crusade, undertaken for the sole interest of Urban, without that pontiff or England receiving the least benefit from it: on the contrary, whilst Norwich and his crusaders were thus uselessly employed in ravaging Flanders,

England

England was a great sufferer by the frequent defeats of the French and the incursions of the Scots. The duke of Lancaster had been sent to propose an interview with the prince of Scotland, in order to bring about a final peace between the two nations; but at the very time these negotiations were on foot, Robert, king of Scotland, by an unpardonable double-dealing, concluded a treaty of alliance with the king of France, the terms of which were, "that the French king obliged himself, in case the Scots should enter into an open war with England, to send a strong body of forces into Scotland, to maintain them there at his own charge, and also to furnish the Scottish government with ten thousand franks of gold, to be employed in the prosecution of such war*."

The state of public affairs now wore a gloomy aspect: beside the bad success of the Flemish expedition, other concurring circumstances helped to dispirit and discourage the nation. The marshal Sancerre had expelled the English entirely out of the Limousin, or county of Limoges, on the continent, and even reduced many of their forts in Poitou: the Norman privateers had taken a large fleet of English merchant ships; and a naval armament from Castile had surprised and taken several of our men of war on the coast of Rochelle: and while matters went on thus untowardly abroad, the king laboured at home to render his person and government odious to every virtuous and sensible person: perpetually surrounded by a crew of wretches whom he had raised from the dregs of his people, as the fittest instruments for executing his arbitrary and licentious inclinations, he forced every man whose counsels or loyalty would serve him in the state, to abandon his court, rather than herd with the miscreants in his favour; and the bishop of London resigned the great-seal, which was delivered to sir Michael de la Pole, afterwards so famous under the title of earl of Suffolk. This man was sprung from low extraction, but was possessed of great riches; and by readily supplying Richard with money to support his extravagances, though at exorbitant interest, had worked himself so far into that shallow prince's good graces, that he thought nothing too valuable or honourable to confer upon him, and, in a short time, he became not only the first minister of Richard's government, but also of his pleasures.

The court now began to be in want of money, and therefore it was thought necessary to call a parliament, which assembled on the first of November, at Westminster, which the new chancellor opened with a speech, demanding, in a pretty peremptory manner, a prompt and considerable supply, declaring that it was the king's will that the business of an aid should be dispatched previous to every other thing.

The situation of affairs was notoriously such, that the members, more out of regard to the interest of the nation than the demands of the crown, granted two fifteenths; after which they began to enquire into the late miscarriages of the kingdom's army on the continent; when the chancellor impeached the bishop of Norwich of mismanagement in the late expedition; and also preferred a complaint against sir William Ellingham, sir Thomas Trivet, sir Henry Ferrers, and sir William Har-

rendon, for having received of the French twenty thousand franks in gold for surrendering certain places to them. A day was given to the bishop and them, to answer to the articles of their impeachment; which they neglecting to do, the former was adjudged to forfeit all his temporalities to the king, and the others to refund to the crown all the money they had received from France, and to remain in confinement till they should pay fine and ransom to the king for their liberation.

The parliament next took under consideration the Scottish affairs; when it was resolved, that this people, having violated the late treaty, by entering into a clandestine alliance with the French, should forthwith be proceeded against as avowed enemies to the state: and a commission passed the great-seal, appointing the duke of Lancaster to raise troops to chastise the Scots; and a sum of money was granted to enable him to carry on his operations.

In the mean time the duke of Brittany, who served in the army of France, retaining some remembrance of the obligations he owed to his old benefactors the English, laboured to mediate a peace between the two nations, and sent two knights to London to propose a treaty to Richard. This latter, who hated war as the interrupter of his pleasures, and loved peace from the contrary motive, readily listened to the proposal; and, in the beginning of the year 1384, the duke of Lancaster was sent over to Calais to treat upon the subject, though with the strangely inconsistent character of the king's lieutenant in France. Conferences were opened at the last-mentioned place with the dukes of Berry and Burgundy; but the French insisting upon the restitution of Calais, Cherbourg, and Brest, and the English refusing to accede to such terms, the duke returned with only a truce till the ensuing Midsummer.

Upon the duke's return, an army was raised, and sent, under him and his brother the earl of Buckingham, to invade Scotland; but the duke did not engage very warmly in this expedition. He had always endeavoured to promote a good understanding between the two kingdoms; either because (as we have already observed) he thought that a peace with Scotland would have enabled his nephew more effectually to assist him in his designs upon Castile, or believed the French would be more easily humbled, could the Scots have been detached from their alliance. However this might be, it is certain he loitered so long upon the borders, that the Scots had time by this delay to remove their effects and provisions to places of safety, so that when he entered their country his troops found no subsistence; and, after losing a number of men and horses by cold and famine, he was obliged to return to England, without having done any thing in this expedition worthy his great name and power. The enemy following him close at the heels, entered England, almost at the same time, where they burnt several towns and plundered the country; and the English doing the like in Scotland, both powers at length agreed, on the seventh of July, to a short truce.

Shortly after the duke's return from this inglorious expedition, the churchmen, who mortally hated him as the patron and protector of Wick-

* Traitez entre les rois, 305.

liff, who (as we shall see in its proper place) had lately exposed the pope and clergy in a manner that did them very little service with the sensible part of the nation, now set their wits to work to effect his ruin; and Richard himself was wrought upon by his worthless favourites to concur in these base measures. The tool made use of, on this occasion, was an Irish Carmelite Friar, who came to the court, then at Salisbury, and presented Richard with a paper, which contained an accusation against the duke, of a design to murder the king, and usurp the crown: the wretch offering at the same time to bind himself to the truth of every article by an oath on the sacrament of Christ's body, which he had that day administered. This, and many plausible circumstances accompanying the charge, startled Richard, and made him believe it founded on truth. As things of this nature cannot long remain concealed in a court, the duke of Lancaster was quickly apprized of the machinations using for his destruction; but, strong in conscious innocence, he demanded immediate access to the royal presence; and being shewn the black scroll, denied, with great steadiness and many asseverations, every article of the charge; offering, moreover, to purge himself by duel: upon this the king either was, or appeared to be, satisfied. The duke next demanded that the friar might be secured, in order to be examined strictly before the council: this request was complied with; but next day, when the council sat and sent for the friar, he was found murdered in a most shocking manner. This did the duke great injury, not only in the mind of Richard, but of the people in general, whose aversion to that nobleman would not suffer them to reflect that this deed might have been perpetrated as well by the authors of the accusation, fearful of having their infamous plot revealed, as by the accused party for the sake of escaping justice: nevertheless, the court parasites eagerly laid hold of this circumstance to confirm Richard in his jealousy of his uncle; and judge Tresilian, who, for his cruel disposition and other infamous practices, appears to have been the Jefferys of his age, undertook, if the king would cause the duke to be arrested, to proceed against him as a common traitor. Richard, however, was too pusillanimous to form a spirited resolution; he hesitated so long between his apprehension of the duke's great power, and his fears for his own safety, that the latter had time to get notice of the impending danger; and, without waiting to offer any farther vindication of himself, which he might reasonably suppose would be over-ruled by his enemies in the cabinet, he withdrew to his castle of Pomfret, which he strongly fortified, and armed his vassals and dependents, to defend himself in case of an open attack. A civil war seemed now on the point of completing the measure of the national misfortunes, when the princess dowager of Wales (the king's mother) interposed to make peace before hostilities commenced. In this equally pious and patriotic design she at length succeeded, and Richard was so far reconciled to his uncle, that he nominated him joint-plenipotentiary with the earl of Buckingham, to treat of a pacification with the French king. The two brothers accordingly crossed the sea, on this negotiation, with a very

splendid retinue; but the conferences produced nothing more than a prolongation of the late truce, till the month of May in the ensuing year, 1385, in which the Scots were comprehended, as well as the duke of Lancaster himself, in the character of king of Castile*.

In the course of this summer, the Scots found means to bribe the governor of Berwick, who acted under the earl of Northumberland, to betray the castle into their hands. The duke of Lancaster, who mortally hated Percy, notwithstanding their late outward reconciliation, being returned home from the continent, endeavoured to turn this accident to the earl's ruin with the king: but he was disappointed in his scheme by the bravery and activity of that nobleman, who, falling into Scotland at the head of sixteen thousand men, miserably ravaged the country; after which, coming before Berwick with all his forces, he entirely surrounded the place, and, drawing out his artillery in view of the besieged, threatened to beat down the fortrefs, and overwhelm the garrison without mercy in the ruins, unless they would deliver up the same; in which case he promised to allow them all the honours of war, and to pay them two thousand marks to defray the expence of their return home. His proposal was accepted, and the earl once more got possession of that important fortrefs.

A parliament met on the twelfth of November this year, which granted the king two fifteenths, as the clergy did a tenth, for the defence of the kingdom. At this session the chancellor declared to the house, that the king was ready to go in person against the enemies of the nation, if his parliament and council thought proper. It was principally on this account that the supply above mentioned was granted.

The French had long beheld with a jealous eye the large possessions with the English enjoyed in that country; they were particularly mortified at the latter's being in possession of the capital sea-port towns in their kingdom, by which means they were enabled to distress the trade of France, and ingross the whole maritime commerce into their own hands. They resolved therefore to make one vigorous effort to wrest these places from the English; and they saw no method so likely to succeed, as by making an invasion of England itself, and obliging that government to recal the greatest part of its forces from the continent for its own defence, and thus leave the places in question exposed an easy conquest to the French arms at home.

In this purpose they were greatly encouraged by the death of the earl of Flanders, which happened in the latter end of this year, and who was succeeded in his great estate by the duke of Burgundy, who being also extremely rich himself, was now one of the most considerable princes on the continent, and was in strict alliance with the French court.

Accordingly, early in the year 1385, they assembled a numerous fleet and a formidable army at Sluys, for carrying their design into execution: and the truce with England expiring in the month of May, John de Vienne, admiral of France, was sent to Scotland with fifteen hundred men at arms, and fifty thousand pounds in gold, to be distributed among the leading men at Robert's court, with

* Rymer, vol. vii. p. 442.

orders to engage the Scots to make a powerful diversion in the North, while the French, with all their forces, should invade England in the South. This scheme, however was rendered abortive by the Flemings rising against their new earl, who found so much work cut out for him at home, that he was constrained to apply to the French for their assistance to reduce his rebellious subjects, before they set sail for England: this Charles could not, with decency, refuse, and so much time was taken up in the siege and reduction of some strong places, that the season became too far advanced to admit of pursuing the intended invasion; so that England was freed for this time from all fears of a visit from the enemy.

In the mean time Vienne had acquitted himself so well of his commission, that the Scottish monarch had given orders for thirty thousand of his subjects to join the admiral's troops, and make an irruption into the English marches, as soon as news should arrive of the French having made their descent upon the other part of that kingdom. But, after waiting in vain for this advice, it was at last agreed to send a detachment of three thousand men to waste Northumberland, which they did with little or no opposition.

Richard all this time was not dilatory; he had ordered all the military force in England to rendezvous at Newcastle upon Tyne, by the fourteenth of July; and on the day appointed the appearance in the field is said to have exceeded whatever had been seen in England*. The Scots were too prudent not to take every necessary precaution against such a formidable invasion, so that when John de Vienne returned from his ravages in the North of England, he found king Robert busied in assembling his forces about Edinburgh, and greatly incensed at the French leaving him thus exposed alone to all the resentment of the English.

These latter had formed the highest expectations from the formidable force their sovereign had assembled; they recalled to their remembrance the glorious attainments of his father and grandfather, and already, in imagination, beheld the deceitful Scots crouching beneath the superior power of the English arms: but it was not long before these flattering proposals were seen to vanish in smoke; for in proportion as Richard advanced in years, the weakness of his head, and the badness of his heart, became more apparent; and his want of conduct and capacity were too plainly discovered by the immaturity of every scheme he formed, and the miscarriage of every enterprize he undertook.

Richard now began his march at the head of such a force as might, in all probability, have enabled him to make the entire conquest of Scotland, whose king was little able to withstand such a formidable enemy, had he known how to enforce his advantages; but, instead of attending to the means of acquiring military fame, thought of nothing but indulging himself in a perpetual round of pleasure and debauchery: his camp exhibited all the splendor, gaiety, and magnificence of the most luxurious court; the common soldiers, as is ever the case, aped the conduct of their leaders, and riot and intemperance took the place of discipline and decorum. The Scots, firm to their old maxim, grounded

on the faith of experience, immediately on the approach of the enemy conveyed all their goods and cattle into their woods and fastnesses, and left their country to be plundered and destroyed by the enemy. The French admiral, impatient at Richard's progress, expressed his surprize that the Scots did not make a stand; but the earl of Douglas, the Scottish general, told him, that by making an invasion into England they could easily indemnify themselves for any damage they might sustain from this irruption.

Accordingly, when Richard entered Scotland by the way of Berwick, the Scots and French, to the number of thirty thousand, crossed the English borders on the west, and after plundering the counties of Cumberland, Westmoreland, and Lancashire, for several weeks together, returned into their own country with a prodigious booty.

In the mean time Richard advanced, about the middle of August, to Edinburgh, which then chiefly consisted of low, ill-built, thatched cottages, and had been abandoned by the inhabitants. This capital, if it may be said to deserve that name, was soon reduced to ashes by the English, as were also Perth, Dundee, and other places in the low countries. While Richard was thus idly employing his numerous army, the duke of Lancaster very prudently remonstrated to him, that he could not hope to derive either glory or advantage from this expedition, unless, after the example of his ancestors, he carried the war on the north side of the Forth. But the favourites of Richard, among whom Robert de Vere, earl of Oxford, began now to hold the first rank, took occasion to represent to him, that his uncle's advice was by no means to be listened to, as there was good reason to believe he sought only to expose him to danger, in hopes of rising upon his fall to that throne he had so long aspired: they also expatiated upon the great hardships the army must suffer when the season should become more advanced; and concluded with pressing their weak prince to return back to the defence of his own dominions, which, they said, were left naked and exposed to the insults of the enemy from the continent. This advice corresponding with the suspicions and inclinations of the misguided Richard, he immediately resolved to put the same into execution; and when the duke again pressed him on the former topic, "I and my army (said he) shall never go farther north: you and your's may." The duke was not at a loss to know the meaning of this reply, but contented himself with a silent submission. In pursuance to the measures now adopted by the king and his favourites, the English army began to evacuate Scotland about the end of August; and in the middle of September returned to England, to the infinite discontent of his own subjects, who found all their expectations baffled; and the triumph of his enemies the Scots, who, by the booty they had made in England, were more than indemnified for the loss they had sustained by this Quixotic expedition of its giddy sovereign.

On the king's return homeward, there happened a fatal accident at York, where the lord Ralph Stafford, eldest son of the earl of that name, was basely slain in a quarrel by sir John Holland, uterine brother to the king, who thereupon took

* Walsingham (incredibly) asserts that the number of horsemen alone amounted to three hundred thousand: "ita ut

equorum numerus ad numerum excreset trecentorum millium."

refuge in the church of Beverley, to avoid immediate execution. The princess of Wales, who was then at Wallingford, in vain laboured to obtain a pardon of the king for her son and his own half-brother; Richard, who tenderly loved the deceased, was inexorable, and the princess took her ill success so much to heart, that she sickened and died, in less than five days after, of downright grief, and was buried in the church of the Minor Friars, at Stanford, where Richard caused a chapel to be erected and endowed for monks to pray for her soul.

It was lucky for England that, much about the time of its monarch's inglorious retreat from Scotland, a misunderstanding arose between king Robert and the admiral de Vienne, on account of the great haughtiness and insolence with which the French auxiliaries behaved in their quarters, which was farther increased by the admiral's demanding that the town of Roxburgh, then besieged by their joint forces, should, if taken, be garrisoned by the French: this latter dispute rose so high, that the siege was abandoned, and the admiral and his Frenchmen withdrew home.

It cannot but appear very strange to every reasonable man, that, whilst the kingdom was actually engaged in a war with France and Scotland, the duke of Lancaster should think of making an expedition into a country so remote as Spain; nor is it less astonishing that the parliament, which sat soon after Richard's return, namely on the thirtieth of October, should not have offered the least opposition to this motion; on the contrary, we find both houses agreeing to the expedition, and the record says *, "that the lords, great men, and commons of counties, cities, and boroughs, granted to the king, for the voyage of John, king of Castile and Leon, and duke of Lancaster, into Spain, and for safe keeping the sea and marches of Scotland, a whole tenth and fifteenth, and half a tenth and fifteenth; the former to be paid at Midsummer: for the receipt and expenditure whereof, certain special treasurers and supervisors, therein named, were appointed to see it done." The duke, thus secure of the parliament's assistance, made, as king of Castile, a league offensive and defensive, with the king of Portugal; and prepared for carrying the war into Spain with all possible diligence.

The commons, thinking that their liberality and ready concurrence with the court's measures demanded some kind of return on the part of the crown, petitioned that the œconomy of the king's household might be inspected by certain officers, to be nominated for that purpose; and that the former statutes, relating to the household, might be observed; nay, they went still farther, by desiring to have a list of Richard's ministry for the ensuing year: but both these requests met with a denial; and the nation had quickly too good reason to believe that Richard and his ministry were determined to act independent of all parliamentary restraint.

Richard, like most weak princes, was very fond of pomp and ceremony; and in this parliament he caused to be invested with the ensigns of their honours the following noblemen, whom he had

promoted to higher dignities during his expedition into Scotland; a measure which he had been put upon by his creatures, as the most likely to balance the duke of Lancaster's great interest. Accordingly, before the parliament broke up, Edmund of Langley (fifth son of Edward III.) earl of Cambridge, took his seat in the house of peers as duke of York; Thomas of Woodstock (Edward's seventh son) earl of Buckingham, as duke of Gloucester; Michael de la Pole, as earl of Suffolk; and Robert de Vere, earl of Oxford, was made marquis of Dublin, a title till then unknown in England: to the two first he granted one thousand pounds a-piece out of the Exchequer, till he should provide them with land to the value of one thousand pounds per annum; to Michael de la Pole he allowed five hundred and twenty pounds out of the profits of the county of Suffolk, and out of the estate of William Ufford, late earl of Suffolk; and to the marquis of Dublin he gave a grant of all the land and dominion of Ireland, and all manner of jurisdictions and regalities therein, the advowson of abbeys and churches, metropolitical and cathedral, together with all services, profits, and revenues whatsoever arising therefrom†. All these preferments and pensions, and particularly the extraordinary privileges annexed to the last, occasioned great discontent among the people, who could not, without melancholy apprehensions, behold these instances of profusion in their king, and of mean compliance in their parliament.

These apprehensions were farther increased by subsequent measures of the court. Leo, king of Armenia, being driven out of his dominions by the Turks, had taken refuge in France; from whence he came over to England in the beginning of the year 1386, under pretext of mediating a peace between France and England; but his real business was to engage Richard, whose chimerical disposition was universally known, in a project to restore him to his kingdom, or at least to procure a pension for his subsistence. In the latter of these views he readily succeeded, and, after meeting with a most ostentatious reception at the English court, departed with a grant of a thousand pounds per annum during his life.

The duke of Lancaster having completed his preparations for the Spanish expedition, and being, moreover, indulged with a bull from pope Urban, giving the same indulgencies and privileges to those who should attend him, as were granted in the case of a crusade (which, however, was of little use to him, the people being now sick of that spirit) took leave of the king at Easter, and repaired to Portsmouth, with his princess, in order to embark: but contrary winds, or some other accident, detained him till the month of July, when he finally set sail, with an army of twenty thousand men, among whom were two thousand men at arms and eight thousand archers‡: he carried with him Constance of Castile, his wife, and his two daughters, Philippa and Catherina, the first of whom he had by his former wife, Blanche, daughter and heiress of Henry, late duke of Lancaster, and the other by Constance.

* Rot. Parl. 9 Rich. II. n. 1, 2, 10.

† See Cotton's Abridgment, p. 310. In this parliament Roger Mortimer, earl of Marche, was declared presumptive heir to the crown, in case Richard died without issue. This nobleman was son of Philippa, only daughter of Lionel, duke

of Clarence, third son of Edward III. and grandson of Roger Mortimer, earl of Marche, executed as a traitor in the last reign, but whose attainder was afterwards repealed. Standford's Genealog.

‡ Froissart. Wallingham.

The duke, after a safe and pleasant voyage, put into the harbour of Brest, and landed his troops near the castle, which had been besieged by the duke of Burgundy (and count of Flanders *) but without success, took and demolished all the forts the enemy had erected, and obliged them to raise the siege: after which, pursuing his voyage, he landed, on the ninth of August, at Corunna, a town of the province of Galicia, in Spain. The town being defenceless, readily gave him admittance; but the citadel, being extremely strong by nature and art, and supplied with a numerous garrison, defended itself so well, that, after laying before it a month, he despaired of taking it; and, decamping, marched to St. Jago de Compostella (the capital of Galicia), which submitted at his approach. From thence he sent detachments over the country to reduce the towns that lay towards Portugal, on which side he made himself master of Padrone, Ponte Vedra, and other places. These conquests opening a free communication with Portugal, he had an interview with the king of that country, on the frontiers, and they resolved to invade Castile with their united forces in the May following. It was at this interview that the king of Portugal asked the duke's daughter Philippa in marriage, the Portuguese not approving of a match with the princess Catherina, because, as she was the rightful heiress of Castile, it might either occasion an union of their kingdom with that crown, or render the war between them perpetual. This marriage was celebrated with great magnificence at Oporto, where the king of Portugal then resided: and the season of the year being too far advanced for the duke to continue his operations, he put his troops into quarters, and spent the winter in Galicia in making preparations for the ensuing campaign. Here we shall leave him, and return to England, where the whole kingdom was by this time in the greatest consternation.

The court of France, upon receiving advice that the duke of Lancaster was landed in Spain, thought this a favourable opportunity to renew their preparations for invading England, which they hoped to find deprived of her best troops, in a defenceless condition; and, indeed, no juncture could have offered more critical for the success of this project, had the French pursued with steadiness the measures they had concerted. Their army, when reviewed at Arras, consisted of eighty thousand men at arms, with their followers on horseback, besides a prodigious number of foot; twelve hundred and eighty-seven ships, of all sorts, were ready at Sluys to waft over this army; and several warlike engines, of new constructions, were on board of them, particularly a large wooden fort (which could be taken to pieces), to serve as a shelter to part of the troops, in case of a winter-campaign. All Europe awaited in anxious expectation the success of this invasion; and the citizens of London in particular, were so terrified with the bare rumour of these preparations, that they ran like men distracted to pull down the houses of the suburbs that lay nearest the walls of the city, even before the French had a ship at sea, or so much as a man embarked. The king and council, as soon as they had certain advice of the design, drew a great number of the country militia to the neighbourhood of

London: the ports and harbours were put in a posture of defence; and all the beacons on the coast prepared for giving the alarm, wherever the enemy should appear: a fleet was allotted out, not so much to fight the French in their passage, or to prevent their landing, as to destroy their ships after the men were disembarked, and to hinder their return. In a word, we must do the king and his ministry the justice to own, that, on this occasion, no measures were neglected that prudence could suggest, to guard against the threatened danger.

But England owed her safety this time less to her own efforts, than to a concurrence of circumstances that made against her enemies. Ambition and envy, those banes to every public undertaking, had poisoned the French councils: the duke of Berry, a man of a covetous and aspiring disposition, was secretly displeased with this expedition, in which he thought his dignity or interest had not been sufficiently consulted, and determined to render it abortive. With this view, he proceeded so slowly in assembling the troops that fell to his share to raise, that he did not join the army at its rendezvous till the middle of September; the season for sailing began then to be over; and contrary winds setting in, this fleet, which should have been at sea in the beginning of August, could not get out till the last day of October: to add to the ill fortune of the enemy, they had not proceeded above ten leagues in their voyage, when the wind, from a favourable gale at their setting sail, changed to a furious storm right in their faces, by which their whole navy was, in a few hours, entirely scattered. Some of the ships were driven back into the harbour of Sluys; many others were dashed on the rocks, or foundered at sea; and several of the stragglers were afterwards picked up by the English cruisers, who went in search of them, after the tempest was abated; so that all these mighty preparations, which had been so long making at an immense expence, and had kept all Europe in suspense for a time, were in a few hours defeated.

While England was thus threatened with invasions from without, she was divided within by the violent feuds and animosities that prevailed among the principal nobility, and between the king and his parliament.

Richard, who seems in most part of his character to have resembled his great grand-father Edward II. was not more injudicious in the choice of his favourites, than he was extravagant in distinguishing them by riches and honours: of this he had lately given a pregnant instance; and, notwithstanding the distracted condition of the times, he still proceeded in gratifying that mad passion. The marquiss of Dublin, in particular, was at this time created duke of Ireland, and invested, by a patent, with little less than the entire sovereignty of that kingdom. Not satisfied with these extraordinary marks of his favour, he bestowed upon him his cousin-german, Philippa, the daughter of Ingelram de Coucy, earl of Bedford: in a word, de Vere was now become the sole and only favourite; no grant could be obtained from the king but through his hands, nor access to the royal presence but by his permission. The king's uncles and the ancient nobility could not bear to see themselves no better than cyphers about the court; the duke of

† See p. 631. of this History.

Ireland became the object of public odium and envy; and the usual complaints against the insolence of favourites began to resound through the nation.

Besides the duke of Ireland there was another of the king's favourites who stood very ill with the populace; this was Michael de la Pole, the chancellor, and lately advanced to the earldom of Suffolk. He had served in war with great valour and success in the reign of the present king and his grandfather; had been employed in several embassies, and treaties of peace, in all which he had distinguished himself by his prudence, integrity, capacity, and judgment; but had rendered himself very obnoxious to the king's uncles, and the people in general, by implicitly complying with Richard's will in all matters; and still more, by the very particular friendship which he shewed to the duke of Ireland, the professed object of their hatred: it was therefore resolved to begin with him, as his ruin might pave the way to that of de Vere, who, as yet, stood in too close a connection with the king to be immediately attacked. The duke of Gloucester, who had great interest in the house of commons, undertook to manage the cause against the chancellor; and a parliament being held this year, at Westminster, on the first of October (while the French were yet at Sluys, threatening the kingdom with an invasion), he prevailed on a party in that house to draw up an impeachment against the chancellor, and carry it up to the house of lords, where his interest was no less considerable. However, to preserve some appearance of decency, they first sent a message by their speaker to the king, importing, that unless the chancellor was removed, they could not proceed in the dispatch of public business. Richard, who little expected a motion of this nature in the present juncture of affairs, received the address with an indignation which he could not conceal: he answered very sharply, "that it would better become the parliament to lay aside all mention of his servants, and attend to the business for which they were called;" adding (rather too rashly indeed), "that he would not, at their instance, turn out the meanest scullion in his kitchen." So saying, he set out immediately for Eltham, in Kent, lest his presence might be made a sanction to the proceedings of the parliament, who he plainly saw were bent upon the ruin of his favourite.

The members, upon the king's thus withdrawing himself from the seat of national council, appointed the duke of Gloucester and Thomas Arundel, bishop of Ely, to repair to him, in the name of the parliament, and desire him to return; threatening, in case of a refusal, to dissolve themselves, and leave the nation in its present dangerous and defenceless condition: a menace little agreeable to the duty they owed either to their king or country. But this is not the first, nor only, instance in which we shall find rancour and private pique mingling with the most justifiable proceedings. We are told by Knyghton (who has given us the minutes of the conversation which passed between the king and the commissioners upon this occasion, in many parts of which, as related, there appears plain marks of an inventive brain), that when the two lords commissioners came to Eltham, and had discharged their commission as above, Richard replied in a vehement passion, "Now it is plain to me, that the people and commons of our kingdom are resolved to take arms against, and to oppose our person: in such case it is more eli-

gible for us to call upon our cousin, the king of France, and demand assistance from him against such rebels: I will rather submit to him than to my own subjects." To which the lords made answer, "that the king of France was the most mortal enemy of the English nation, as appeared in his efforts to destroy them; therefore the king's desperate resolution could proceed only from the pernicious advice of those evil counsellors whom his parliament and people wished to see removed, that thereby all cause of variance between him and his subjects might also be removed." After this reply, they took their leaves, only adding, "that it was the earnest desire of his parliament, that he would return to them; as their sole view was the welfare of him and his kingdom."

Richard, after the first whirl of passion was over, finding that the parliament were united among themselves, and that he could neither break nor bend the opposition, came to a resolution of changing his ministers: accordingly, on the twenty-third of October, the earl of Suffolk resigned the great seal, which was given to the bishop of Ely; John de Fordham, bishop of Durham, treasurer, was also removed, and John Gilbert, bishop of Hereford, put in his place. The parliament having thus far gained their point, proceeded next to bring their impeachment against the earl of Suffolk, which consisted of the following articles:

"Imprimis, That the said earl being chancellor, and bound to act for the joint profit of the king, had purchased lands and tenements of the crown at under-value.

"II. That he had neglected to put in execution an ordinance of a former parliament, appointing nine lords to examine into the state of the realm, and give their advice how the same might be improved and amended.

"III. That he had perverted to uses other than those for which it had been appointed, a tax which had been granted for the safe-guard of the sea; which was shamefully neglected, to the great prejudice of the realm.

"IV. That he had purchased for himself and his heirs, a grant of fifty pounds per annum out of the customs of Kingston-upon-Hull; which had been bestowed by the king's grandfather upon Tydeman de Limborg, but since forfeited by the said Tydeman, of whom the earl purchased it, though he was not ignorant of the forfeiture: and of having, by false insinuations, prevailed on the king to confirm the said pension.

"V. That he had obtained from the pope a pension, for his son John, upon the hospital of St. Anthony, to the prejudice and disherison of the high-master of the said hospital; or, at least, of the king, as the high-master happened to be a schismatic; and for that cause the king ought to have the profits which appertain to him in England.

"VI. That the said chancellor had obtained divers charters and pardons for murders, treasons, felonies, and other crimes; and particularly a charter of certain franchises to the castle of Dover, in disherison to the crown, and subversive of the pleas and courts of the king, and of his laws.

"VII. Finally, that whereas, by an ordinance made in the last parliament, that ten thousand marks should be raised for the defence of Ghent; by a default of the said chancellor, the said city of Ghent

Ghent was lost, and also one thousand marks of the said money."

The earl finding the spirit of the parliament run high against him, would have waved his defence, and have thrown himself upon the king's mercy; but that being over-ruled, he was at length compelled to offer something in his own exculpation: but he did this so weakly, that Richard, who was present all the time of his examination, could not forbear shewing manifest signs of discontent at his conduct. Upon the whole, the earl was convicted, and adjudged to pay fine and ransom to the king; and in the mean time was committed to the custody of the duke of Gloucester, as constable of the kingdom, who sent him to Windsor castle; and all his proceedings, as chancellor, were declared null and void.

Truth, or the spirit of faction (for, at this distance of time, it is impossible to distinguish which), having thus prevailed over the unfortunate Suffolk, the parliament proceeded to complete the work they had begun, and appointed a committee of eleven noblemen, at the head of which were the king's two uncles of York and Gloucester, to examine into the state of the royal revenue since the king's accession, and to redress the grievances of the nation. This was not all; they furthermore obliged the king (who, being at present as poor in purse as he was in spirit, dared to refuse them nothing) not only to grant a commission, under his own hand and seal, for vesting this committee with the necessary powers, but also to give his assent to a statute, by which any person who should dare to propose a revocation of the powers granted to this committee, should, for the first offence, forfeit his estate; and for the second, be punished as a traitor. Richard however, pusillanimous as he was, would not make this absolute transfer of the royal authority, till he had first protested in full parliament, "That nothing done in that parliament should be of any prejudice to him, or his crown: but the royal prerogatives and the liberties of the crown should be safe and maintained."

The commission granted to this council imported, "That the king, of his own free choice, and at the desire of the parliament, had changed the great officers of the crown, for the better government of the kingdom, the more regular execution of the laws, the relief of his own estate, and the ease of his people; and had appointed eleven commissioners, as a new council, for one year from the date of the letters patent, to examine into the œconomy of the king's household, and the management of the royal revenue; to receive and disburse all public monies, subsidies, taxes, and other payments; and to reform and amend all things in the kingdom, according to their discretions: and these powers were given to any six of them, with his three great officers; willing, that if any difference of opinion should happen between his counsellors and those officers, that the matter should be determined by a plurality of voices: at the same time, all degrees of persons whatever, in the kingdom, were strictly enjoined to obey, aid, and assist the said counsellors as often, and in what manner they should direct. Dated at Westminster, November 19."

Mr. Carte observes upon this commission, that "it was of the same nature with those extorted from Henry III. by Simon Montfort, earl of Leicester; and from Edward II. by Thomas, earl of Lancaster; and was calculated for the same disloyal purposes, by divesting the king of all his authority, making him a mere cypher, and putting all the power of the government into the hands of six, or a majority of the commissioners, who were most of them partizans or creatures of the duke of Gloucester*." But this is rather running into extremes: it is certain the royal prerogative was greatly prescribed by this commission; but it was more constitutional than the two he mentions, because it determined in a year, and the persons nominated therein were such as, by their rank and figure, were suitable to the high trust reposed in them†.

In order to make some amends for the freedom they had taken with the king and his administration, the parliament freely voted half a tenth and half a fifteenth; they also gave him three shillings on every tun of wine imported and exported, and twelve pence upon every pound of merchandize, except of such staple commodities as wool and wool-fells only; but, at the same time, the greatest part of the money arising from this subsidy was to be deposited in the hands of the earl of Arundel (one of the commissioners, and) lord high-admiral of England, to be expended in securing the coast from the descent of the enemy: as a farther sweetener, they granted the ransom due by the heirs of Charles de Blois, to the duke of Ireland, the king's favourite, upon condition that the said duke should, before the Easter of the ensuing year, 1387, go over to Ireland, and recover, at his own expence, from the Irish rebels, the great estate which had been granted him in that kingdom. A strange inconsistency this! at one and the same sitting, to punish so severely one favourite for having obtained grants from the crown, and to vote an aid to another (and him the person of all others the most obnoxious to the nation) to enable him to retain grants of a like, and even more extensive, nature! But it is to be supposed that the parliament was willing, at any rate, to drive Vere from the king.

As soon as the parliament broke up, which was on the thirtieth of November, the new council began to concert proper measures for securing the kingdom against any future attempts of the enemy, the fears of the late threatened invasion being happily at an end. For this purpose treaties of alliance were formed with several foreign potentates, particularly the duke of Gueldres and the republic of Genoa, which was at this time one of the most powerful maritime states in Europe. The English privateers, particularly those of the Cinque Ports, were also very successful in distressing the maritime trade of France, and making descents on their coasts, in which they carried off immense booty: and young Henry Piercy, son to the earl of Northumberland (afterwards so well known under the name of Hotspur), began to distinguish himself by his hostile excursions from Calais, in which fortress he served all this summer as a volunteer, till hearing of the intended French invasion he returned to England again.

* Carte's Hist. Eng. vol. ii. p. 578.

† Besides the king's two uncles, the other commissioners were William Courtney, archbishop of Canterbury; Alexander Neville, archbishop of York; William of Wickham, bishop

of Winchester; Thomas Brentingham, bishop of Exeter; Nicholas, abbot of Waltham (lately made privy-seal); Richard, earl of Arundel; John, lord Cobham; sir Richard Scroop, and sir John Devereux.

In the mean while Richard, glowing with indignation at the late insults offered to his authority, sought only for a favourable opportunity to revoke all that he had assented to. His first step (and that almost immediately after the breaking up of the parliament), was to order the enlargement of the earl of Suffolk, whom he readmitted into his former favour; the duke of Ireland also continued to remain about his person; and it may reasonably be supposed that they let slip no opportunity of embittering their sovereign's mind against those who had been the authors of their disgrace, and whose late proceedings they construed into an open rebellion against majesty itself: insinuations which Richard was but too ready to hearken to, so that the king and his newly appointed council were upon terms with each other little short of a downright rupture. The French historian, Froissart, has pretended that at this time the earl of Suffolk and the duke of Ireland had entered into a plot to poison the duke of Gloucester at a feast, to which he was invited by the mayor of London, but the duke having notice of it, kept away, and so escaped the snare laid for his life; but this is represented with so many absurd circumstances of time and place, that it merits little or no regard.

In the beginning of the year 1387, the earl of Arundel, who enjoyed the important and lucrative post of admiral of the South and West of England, put to sea with a fine fleet. He had not cruised long before he fell in with some Flemish and Spanish ships of war, who were convoying a great number of French ships, richly laden; and a sharp engagement ensuing, the English took above one hundred sail of vessels, with all their cargo, and several persons of distinction on board: after which the admiral, landing his forces, relieved the town of Brest, then a second time besieged by the duke of Brittany. And between Lady-day and Midsummer following, in this year, he took above one hundred and ninety of the enemies ships. One of our old historians observes, this earl did not as other admirals used to do, that is, man the fleet with persons not used to the sea, to whom they gave but half wages, and so put the rest of the money allowed by the government in their pockets; but he chose the stoutest and best sailors he could get. Thomas Mowbray, earl of Nottingham, a young nobleman of very promising parts, had a principal command under the admiral, and distinguished himself greatly on this occasion.

About this time the French made preparations again for an invasion of England. They had already began to muster their forces, who were to embark part at Harfleur in Normandy, and part at Lentrequet, a port in Brittany; their design being to land at two places in this kingdom, at Dover in Kent, and Orwell in Suffolk. But a misunderstanding arising between Oliver de Clifton, constable of France, and the duke of Brittany, who were jointly to conduct this expedition, the latter caused the former to be arrested and thrown into prison. This accident entirely defeated the designs of the enemy.

Richard's favourites were all his time employed in keeping up his resentment against the lords of the opposite party; so that when the earls of Arundel and Nottingham arrived from the late gallant and successful expedition, they met with a very cold reception from the king; and, in a short time after the post of admiral was taken from the former and given to Henry Percy, with the additional title of lord high admiral*; and though this was his first sea-service, he acquitted himself therein with great reputation, letting no opportunity slip of annoying the enemy, at the same time that he took proper care for the safety of the sea-coast.

By this time Neville, archbishop of York, a busy, bold, and pragmatical prelate, had joined himself to the duke of Ireland and the earl of Suffolk; and these three entirely engrossed Richard's ear and favour: but an incident soon happened, which raised a furious storm against them. We have already observed, that, among other instances of his partiality and fondness for the duke of Ireland, Richard had given him in marriage Philippa de Coucy, grand-daughter to Edward III. Vere now, presuming upon his influence over the king, had the insolence to repudiate this lady, in favour of a Bohemian young woman, of mean extraction, named Lancerona, with whom he had fallen in love. Richard beheld, without the least resentment, this glaring insult upon the royal family; but it was not the same with the duke of Gloucester, who, from that instant, meditated the severest revenge on the duke, and even took an oath, in the presence of the bishop of London, and several others of the nobility of the kingdom, that he would not rest till he had driven de Vere from the presence and councils of the king; in a word, he expatiated so feelingly on the indignities to which not only his own family, but all the best blood of the kingdom, was subjected, by the insolence of the court favourites, that he was quickly joined, with the warmest tenders of service, by many of the great lords, in particular Mowbray, earl of Nottingham, earl-marshal; Fitz Alan, earl of Arundel; Percy, earl of Northumberland; Montacute, earl of Salisbury; and Beauchamp, earl of Warwick; all of them attached to each other and the princes of the blood, as well by friendship and family connections as by their common hatred and aversion to the man who had thus supplanted them in the favour of their sovereign.

The duke of Lancaster was at this time abroad in Spain, but his absence was amply supplied by his eldest son, Henry of Bolinbroke, who, in point of activity, vigour, courage, understanding, and even cunning, was much superior to his father. He had been created, about two years before, earl of Derby, and married Mary de Bohun, the younger daughter and co-heiress of Humphrey de Bohun, earl of Hereford and Northampton, in whose right he enjoyed those two earldoms. This young nobleman now joined with the other discontented lords, and they altogether formed an association capable to make the most powerful monarch totter on his throne. After some conferences to adjust the plan of their

* Notwithstanding that we frequently, before this time, meet with the title of Admiralty and Admirals of the North and West of England, yet Dr. Godolphin, in his view of the Admiralty Jurisdiction, alleges that it was not till the tenth year of King Richard II. that England had any officer styled Admirallus Angliæ, or High-admiral, and this he says, was in the person of the abovementioned Richard, earl of Arundel: but the

doctor seems to be mistaken herein; for it was certainly on young Percy that this title was first bestowed, the earl of Arundel being only still Admiral of the South and West of England; but the promotion of Percy happening so close upon the return of the earl of Arundel, may perhaps have led the doctor into this error.

operations, it was resolved to go down to their several counties where their interest lay, to raise an army.

Every thing now seemed to forebode a fatal rupture between the king and his nobility: the partisans of both sides had been for some time extremely industrious in setting forth the character and conduct of each other in the blackest light; every exercise of prerogative in the king was magnified into a settled design of tyranny and despotism; and every step the barons took for the defence of their liberty, and the removal of obnoxious persons, was construed into an open act of rebellion. No sooner, however, were the lords departed from London, whose designs were no secret at court, than the king caused several citizens of their party to be seized and imprisoned for high treason. The Londoners, who did not dream of such a stroke, and who now saw themselves deprived of the presence of their protectors, were glad to save their lives by making a full confession of all (and perhaps more than) they knew of the barons plan; whereupon the court released them without any farther punishment, hoping by this shew of clemency to win the affections of the people, and rivet them in the court interest, but with little effect. Nevertheless, the king and his ministers resolved to try the same experiment at Coventry, where no less than two thousand were indicted for high-treason. But their greatest difficulty was how to proceed against the lords themselves: at length it was agreed, that, under the colour of a progress, the king and queen, with the archbishop of York, the duke of Ireland, the earl of Suffolk, and others of that party, should go to Nottingham, to which place the sheriffs of counties, the principal citizens of London, and all the judges of England were summoned to appear.

When they were met, the king communicated to them the design of raising an army to chastise the refractory lords, especially the duke of Gloucester, and demanded of the Londoners what number of troops they could furnish him with. He then declared to the sheriffs his intention of calling a parliament, for which he peremptorily ordered them to return such persons only as members whom he and his council should direct and nominate. But the court found itself disappointed in all its reliances, save on the judges: the citizens of London honestly declared, that the majority of the people were too well affectioned to the lords in question, to be brought to take arms against them; and the sheriffs for their parts replied, that it was utterly impossible for them to comply with the king's commands, consistent with the nature of their office, the oath they had taken, and the duty they owed their country, by all which they were bound to leave the people at full liberty to make choice of such representatives as they should see best, and faithfully to return the same as members of the great assembly of the nation. The judges, indeed, were more compliable: Tresilian, the chief-justice, readily undertook to draw up a bill of indictment against the lords; but as it was necessary to found this upon certain principles which were to be declared law by the judges, it was resolved that these principles should be framed from a certain number of queries to be put by the king to the judges, who were to give their resolutions thereupon, under their hands and seals. What these questions were,

will appear sufficiently by the resolutions, which were as follow:

"I. That the new statute and commission made in the last parliament, held at Westminster, derogated from the king's royalty and prerogative, especially as they were made against his will.

"II. That those who either procured the statute, ordinance, or commission to be made, or excited the king to consent to the making thereof, were to be punished with death, unless the king should be pleased to pardon them.

"III. That such as either compelled or constrained the king to the passing that statute and commission, or hindered him from exercising what belonged to his prerogative and royalty, were to be punished as traitors.

"IV. That when, upon the meeting of the parliament, the causes thereof were declared by the king's command, and certain articles proposed for their consideration, the two houses ought to proceed first upon those articles, and not upon any articles of their own till they were dispatched; and that the king, in that behalf, hath the governance, and may appoint what shall be first handled; and those who presume to act contrary thereto, are to be punished as traitors.

"V. That the king, when he pleased, might dissolve a parliament, and command his lords and commons to depart; and whoever afterwards proceeded in parliament against the king's will, was to be treated as a traitor.

"VI. That when the king thought fit to remove any of his justices and officers, and to judge and punish them for their misdemeanors, the lords and commons could not, without his consent, impeach such officers for their offences: and if any one acted to the contrary he was to be punished as a traitor.

"VII. That the person who moved in parliament for sending for the statute by which Edward II. was adjudged in parliament; by means of sending for, and perusing which statute, the late ordinances and commission were devised; as well as he who, upon that motion, brought it to the parliament, were to be punished as traitors.

"VIII. That if the judgment given in parliament against the earl of Suffolk, were now to be given, and that they were the judges, they would not give it; for they thought it revocable, and in every part of it erroneous."

Such were the opinions or resolutions given in the castle of Nottingham, by sir Robert Tresilian, chief-justice of England; sir Robert Belknap, chief-justice of the Common Pleas; John Holt, Roger Fulthorp, and William Burgh, justices of the same bench; sir John Cary, chief-baron of the Exchequer; and John Lockton, the king's serjeant at law; who put their seals thereto, on the twenty-sixth day of August, in the eleventh year of the reign of king Richard II. in the presence of the reverend lords, Alexander, archbishop of York; Robert, archbishop of Dublin; John, bishop of Durham; Thomas, bishop of Chichester; and John, bishop of Bangor; Robert, duke of Ireland; Michael, earl of Suffolk; John Rypon, clerk; and John Blake, esq.

We are told, that after signing this paper, by which the laws of the kingdom and the liberties of parliament were thus basely prostituted to the kingly prerogative, Belknap, the chief-justice of the

the Common Pleas, exclaimed, in a fit of despair and repentance, "that he only wanted a horse, a hurdle, and a halter to bring him to the death he deserved, for having thus wrested the spirit of the laws, and assisted in sapping the fundamental principles of the constitution."

While Richard and his courtiers were in vain endeavouring to levy troops to carry their designs in execution, advice came that the duke of Gloucester, and the other associated lords, had raised an army, and were advancing to besiege London. As Richard had, by some late popular measures, engaged a strong party of the lower citizens in his favour, and as he knew that sir Nicholas Brembre, the mayor, was warmly attached to his interest, he hastened up to the metropolis, in order to prevent the designs of his enemies, and was most magnificently received by the Londoners, among whom Brembre promised to raise a body of fifty thousand men for his service. The very day after the king's arrival in the capital, the barons came, with their forces, to Haringay Park (now Hornsey Wood), a few miles to the north of London. Here they stopped short, not chusing to come to extremities, as knowing that Richard was still beloved in the city, who could not forget his gallant behaviour at the time that Tyler and his crew of ruffians were spreading desolation throughout it. On the other hand, Richard had publicly declared his intention of calling a parliament, in order to hear and adjust all complaints and differences. Thus each party remained for some days in a state of inaction, during which time, it is said of Richard (but, I cannot help thinking, without a just foundation), that he had formed a design of getting privately over to France, and making several shameful concessions to that court, on condition they would supply him with an army to chastise his rebellious barons; but the improbability of this will appear, when we consider that France at that time was in no condition to furnish him with such assistance; nor were his affairs so desperate as to urge him to such a weak and dangerous step.

The party of the barons was, however, growing stronger in proportion as the late unconstitutional act of Richard at Nottingham became more known; and even the most virtuous of those who, from a sense of duty and loyalty, still adhered to their sovereign, could not help blaming him for his blind partiality to a set of worthless favourites, and the disregard he shewed to his own real interest, and those of the people he governed. In the mean time the earl of Northumberland, the lord Basset of Sapcote, and several other noblemen of great interest, who, though enemies to the favourites, were tender of taking arms against the king, joined their endeavours with the archbishop of Canterbury, in order to effect an accommodation; but Richard listened to their proposals with great coolness, until having failed in an attempt to seize the person of the earl of Arundel in his castle of Ryegate, in Surry, and finding himself also disappointed in his expectations from Brembre, who acquainted him he could not raise so many forces as he had promised, while the army of the barons was increasing to a prodigious number, he plainly perceived the extreme folly of making any farther resistance: accordingly, he agreed to admit the lords to a personal audience, that they might lay before him their grievances in the most dutiful man-

ner. The lords readily embraced the offer, but at the same time insisted upon having a safe-guard for their persons; upon which the bishop of Ely and other persons of rank gave their oaths on the king's behalf, that they might come and go with safety. This appears to have been no unnecessary precaution, if what Knyghton, and, from him, most of our other historians relate, is true, namely, that sir Thomas Trivet and sir Nicholas Brembre had actually laid an ambuscade for them, of which they got intelligence.

Being at length come into the king's presence, in Westminster-hall, they affected great submission, especially the duke of Gloucester, whom Richard kept upon his knees some time before he permitted him to rise. The bishop of Ely, who was chancellor, demanded of them, on what account they had taken up arms? to which they replied, that their sole intention was to procure the good of the king and kingdom, declaring themselves ready to lay down their lives for their sovereign; but were determined to bring all traitors to condign punishment. Being then demanded to present their grievances, they did it in a schedule, wherein they prayed that Alexander, archbishop of York; Robert de Vere, duke of Ireland; Michael de la Pole, earl of Suffolk; Robert Tresilian and Nicholas Brembre, knights, should be removed from the king's councils and presence for ever. Having delivered this petition, the lords then, as was the custom of those days, appealed (or challenged) the accused to combat, by throwing down their gauntlets on the floor.

Richard, alarmed at the resolute and determined air with which the appellants behaved, remitted somewhat of his stern deportment, and, coming down from the throne, took the duke of Gloucester by the hand, and, bidding them all rise, he promised them that their grievances should be redressed in the ensuing parliament; and in the mean time exhorted them to suppress all their heats and animosities, and abstain from all acts of outrage and violence. He then dismissed them with strong assurances of personal esteem and regard; and, as a proof of his sincerity, he, in a few days after, issued a proclamation, clearing the duke of Gloucester and the earls of Arundel and Warwick from the imputation of treason, which had been thrown upon them by the five persons they had appealed, and commanding these calumniators to answer to the charge that was to be brought against them in the next parliament.

The lords, however, still kept upon their guard: they observed, in all their interviews with Richard in person, none of the appealed persons had appeared; this they looked upon as a sign of his resolution to protect them; and their suspicions of Richard's good faith was not a little increased upon receiving intelligence that the duke of Ireland had gone to the Marches of Wales, where he was joined by sir Thomas Molineux, sir Ralph Vernon, sir Ralph Radcliff, and several other gentlemen of the neighbouring country, with their vassals and servants, to the number of five thousand. It was easy to foresee that if this force should have time to increase, and join with the royal party in London, the lords themselves must be defeated, and, in their turn, declared traitors. Upon the first news, therefore, of these proceedings, the earl of Derby was sent, with a body of troops, to stop the

the duke upon his march. Henry met him at Radcot Bridge, in Oxfordshire; upon which de Vere was for retreating, but sir Thomas Molineux resolved to stand firm: however, upon the first onset the duke fled with the greatest precipitation, and escaped by swimming over a river. Molineux, who kept his ground like a brave soldier, was slain upon the spot, and the troops, thus bereft of both their leaders, threw down their arms without farther resistance, and gave the earl of Derby an almost bloodless victory, which, for that time, completely ruined the hopes of Richard and his favourites. These latter were struck with such consternation, that the earl of Suffolk, putting on the disguise of a peasant, escaped over to France; but being discovered at Calais, he was there arrested by his own brother, and sir John Beauchamp, the governor, sent him prisoner to London.

After the battle of Radcot Bridge, the earl of Derby returned to the lords, when he communicated to them certain letters and papers, which had been found among the baggage of the duke of Ireland; and the contents of which were such, as set every thing again into so great a flame that the lords immediately advanced, at the head of their forces, now increased to forty thousand men, and posted themselves in and about Clerkenwell-fields, whither they sent for the mayor and magistrates of the city of London, and shewed the papers which had been seized, and by which it appeared that Richard had actually ordered the duke of Ireland to send a message to the court of France, in his name, offering Charles to restore Brest, Calais, and Cherbourg, provided he would send him a powerful reinforcement, to reduce the stubborn malecontents. The citizens of London, alarmed at this purposed infringement of the national liberties, joined themselves heartily to the lords appellants, and delivered into their hands the keys of the city, which they now entered in triumph.

Richard, apprized of what had passed, took refuge in the Tower, but soon found himself deserted by every one but his own creatures, whose immediate safety depended upon his protection, and who were utterly incapable of offering either consolation or advice in this his distress. The confederates now sent to demand an audience, which Richard was in no condition to refuse them. At this interview the duke of Gloucester expatiated so affectingly upon the ill consequences that must arise to himself and the nation, by his mismanagement, and his giving himself so entirely up to the pernicious advice of flattering favourites, who sought only to aggrandize themselves at the expence of his honour and quiet, that Richard, stung with remorse, could not help bursting into tears, which the lords took as a favourable omen of his return to reason: and, in order to work the more forcibly on his mind, the earl of Derby, on some pretence, drew him to a window, from whence he could perceive the forces of the confederate lords drawn up in exact order. This sight struck him with a surprize which he could not conceal; and turning to the duke of Gloucester, "Fair uncle (said he), methinks you are attended with a numerous train." "These (replied Gloucester) are not above one third of those loyal subjects who are ready prepared to rescue their king out of the hands of those traitors who have so long kept him in bondage, and perverted his conduct and councils." After some farther confe-

rences, Richard agreed to give the lords a meeting at Westminster the next day, in order to settle what was to be done in regard to a general reconciliation in the parliament, which was to meet on the third day of February following.

Nevertheless, the lords had hardly taken their leave, when Richard, at the instigation of his flatterers, changed his mind, and sent them word that he could not, consistent with his own safety, give them the promised meeting. This fickleness so exasperated them, that, drawing up their army and surrounding the Tower, they sent a messenger to assure him, that if he continued to trifle with them any longer, they would deliberate upon filling the throne with another prince. This so intimidated Richard, that he actually gave them a meeting the next day at Westminster: there he granted whatever they desired; and, like most princes when driven to extremities, gave up to their revenge all those who, on account of their attachment to him, had rendered themselves obnoxious to the cabal. These were the archbishop of York, the bishop of Chichester, the bishop of Durham, friar Ruffok, his own confessor, the lords Zouch, Burrel, and Beaumont, sir Alberic de Vere, sir Baldwin Beresford, sir John Worth, sir Thomas Lovel, and many more of both sexes; in particular the lady Mowen, the lady Molyng, and the lady Poynings, whose loose morals and court intrigues had given great offence. Of these, some were imprisoned in different parts of the kingdom; some were obliged to give security for their future good behaviour; and others were banished during the king's pleasure. But the chief weight of the lords' revenge fell upon the judges, who had given the late illegal resolutions: Fulthorp, Belknap, Holt, Burgh, Cary, and Lockton were seized as they were sitting on the bench, in Westminster-hall; but Tresilian, conscious that he could expect no mercy, had absconded as soon as the army of the confederates drew near London: but sir Simon Burley, sir Thomas Trivet, sir Nicholas Brembre, sir William Ellingham, sir John Beauchamp of Holt (privy-purse), together with John Blake the lawyer, and Richard Clifford, John de Lincoln, Richard Motford, and Nicholas Lake, clergymen, were ordered into close confinement, in order to be brought to a speedy trial.

The parliament meeting, on the third of February, 1388, the session was opened by a speech from the bishop of Ely, brother to the lord Arundel, and chancellor of the kingdom, in which he acquainted the two houses with the occasion of their being called together, namely, "to redress the grievances of the people, to advise and assist the king in the administration of the government, and concert measures for defending the coasts and marches of the kingdom, and raising the necessary subsidies in the most easy and expeditious manner." As soon as the chancellor had ended his speech, the duke of Gloucester, rising from his seat, threw himself on his knees before the king (who was seated on his throne), desiring that he might be permitted to take his trial by his peers, in order to purge himself of the charge of treason, in harbouring designs against the king's person and to usurp the crown to himself, which had been alleged against him by certain malicious and evil-minded persons, in order to render him suspected by the king and the good lieges of this realm." But the king declaring, in the

the hearing of the whole assembly, that he was fully satisfied of his innocence, he withdrew his petition. The lords then entered upon a great and fundamental point of their privilege, which had been particularly struck at in the opinions given in by the judges, which was that of liberty and franchise of trying and deciding all important causes in their collected parliamentary capacity, without being restricted to the common or civil law of the realm, but by the course of parliament only. This claim of liberty and franchise, as the record has it*, was admitted and confirmed by the king in full parliament.

When this was done, and the five lords appellants were going to open their appeal, the archbishop of Canterbury entered a protest in behalf of himself and the prelates of his province, asserting "their right, and that of all prelates holding of the king by barony, to sit as peers of the realm in all parliaments, and to consult, treat, ordain, and determine all matters to be there done; and declaring that this right should not be prejudiced by their withdrawing on this occasion, in compliance with the canons of the church, which forbade them to assist in any trial where life and limb was concerned." This claim was allowed, and the protest was, by order of the king, lords, and commons, entered in the rolls of parliament. Another protest of the like nature was entered by the bishops of Durham and Carlisle; and being also allowed, the prelates withdrew.

The lords appellants then proceeded to exhibit their appeal, of which they declared themselves "ready to prove every article, as it should be awarded in parliament, to the honour of God, the honour and profit of the king, and of the whole realm." Whereupon the persons appealed were called in parliament before the king and lords, to appear and make answer to the appellants; and they were likewise summoned to the same purpose in Westminster-hall, and at the great gate of the palace of Westminster. "And because they came not (saith the roll), being so solemnly called, the duke of Gloucester and the other appellants prayed the king and the lords to record their default, and proceed to judgment upon the several articles." The king took time till the next day to consider of the matter, and in the mean time ordered some judges, serjeants, and other learned men in the law to deliberate upon the nature of this impeachment, and deliver their opinion to the lords: and these, having consulted together, and considered the tenour of the appeal, declared "that the same was not according to form, nor agreeable to the methods of prosecution prescribed by the civil law and the statutes of the realm." The lords upon this, availing themselves upon their late allowed claim of liberties and franchises, came to a resolution, "that in such a cause, affecting the king's person and the state of the kingdom, and implying such heinous crimes committed by peers and other associates, the right of trying and judging was vested in the lords of parliament, according to their franchise and liberty to judge and be judged in such cases, with the king's assent, independent of any law whatever; that they should proceed in the same manner with respect to the present case, and determine it by award of parlia-

ment: they therefore adjudged, that the appeal was well and duly made, and the process valid, according to the laws and course of parliament." The appellants being thus allowed to proceed, they consented that the accused persons, viz. the archbishop of York, the duke of Ireland, the earl of Suffolk, sir Robert Tresilian, and sir Nicholas Brembre, having had full notice of the appeal, should be adjudged guilty of the treasons and misdemeanors therein contained.

The articles in the appeal were thirty-nine in number; but most of them expressed in such general terms, as might, with very little difference, be applied to any favourite or minister whatsoever: they seem to have been formed upon the model of those drawn up against the two Spensers, in the time of Edward II. and were of different kinds, some being charged as treasons, the others as misdemeanors.

These last consisted in "their rendering the king inaccessible to his nobility, except in their presence: the creating a strangeness between the king and his nobility, and confining the royal favour wholly to themselves: the procuring the grant of the domains of Ireland, and lordship of Okeham, with its forests, for Robert de Vere: the selling of posts of honour and profit to any who could purchase them: the issuing of great sums of money, to the amount of no less than one hundred thousand marks, to the duke of Ireland; and their obstructing the ordinances of parliament: the suffering themselves to be bribed, to put persons into the government of Guienne and the marches of Scotland, not capable of these offices, and consequently to the great detriment of the king and the nation: the obstructing the due course of law: the taking of bribes for maintaining suits and quarrels: the removing or excluding several lords and others from the king's council: advising the king to absent himself, and refuse treating with the last parliament: the persuading the king to assemble certain lords, judges, and others, and demand their opinions on several matters of a suspicious tendency: the compelling many gentlemen in England and Wales to take oaths and enter into bonds for standing by the king against all persons, thereby to excite a civil war: the carrying the king into places at a distance from the commission appointed by the parliament: the ransoming John de Blois, without warrant from the parliament or great council: advising the king to distinguish his retinue by certain badges, tending to create invidious and dangerous distinctions between the king and his liege subjects: the procuring the opinions of false judges at Nottingham, in order to destroy, under colour of law, all who were concerned in the late statute and commission: the design of indicting several lords and others upon those opinions; and of arresting the duke of Lancaster, in case he landed in England: the persuading the king, that the late statute and commission were made with a view to depose him: the prevailing on the citizens of London to swear they would live and die with the king against all his enemies; at the same time representing the commissioners to be such, and traitors to them and their country: the causing a proclamation to be published in the city, forbidding all persons to aid or assist the earl of Arundel with arms or provisions; and another

* Rot. Parl. 11 Rich. II. n. 3.

forbidding every person to speak disrespectfully of them, the persons appealed: and lastly, the prevailing on the king to send his council a list of persons to be appointed sheriffs, in order to return such a parliament as would answer the views of these his false and pernicious advisers."

These articles were objected in common to all the five persons appealed, either as actors, advisers, or consenting thereto: but there were other articles, charging sir Nicholas Brembre in particular with causing several criminals to be taken out of Newgate by night, and executed illegally, at the Foul Oak, in Kent (probably a gallows): as also the duke of Ireland, with acting as chief-justice of Chester, without warrant or commission. This last was also accused of two points peculiar to himself, which were adjudged by the lords to be treason, viz. "the raising forces to destroy the lords and the king's lieges; and his attempt to kill the appellant at the battle of Radcot Bridge." The other articles, implying treason, were urged against all the appealed equally, and consisted in a charge "of having reported falsehoods to the king, and obliging him to swear that he would be governed by their councils, and live and die in their defence; their advising him to give the title of king of Ireland to Robert de Vere, and to write to the pope for a ratification of that title: their giving the king advice to put all the lords and commons of the last parliament to death, except such as were of their party: their informing his majesty that the late statute and commission were made to wrest from him his royal prerogative; and that all concerned in advising or passing the same ought to be punished as traitors, and advising him to put them to death: their causing the king to send Nicholas Southwell, and other obscure persons, with letters to the king of France, entreating his assistance to destroy the lords and others whom he deemed traitors; and promising, in consideration of such assistance, to cede to him Cherbourg, Brest, and Calais: their sending to France to procure safe-conducts for the king, the duke, and others, who intended to go thither and execute these treasonable projects: their persuading the king to issue orders for knights and gentlemen to rise with the duke of Ireland, and to write to the said duke representing himself to be in the utmost danger, pressing him to come to his assistance, and promising to meet him with all his power."

Such were the articles exhibited against the five persons above-mentioned, founded generally upon the late commission and statute, but none of them treason by the statute of 25 Edward III. though the lords had thought fit to vote them so, in order to attain the parties accused; no witness was examined, no proof made (an unheard-of way of trial): but the king and lords, being satisfied in their conscience (says the roll) of the truth of the articles, pronounced the four first guilty of high-treason, on the thirteenth of February, ordering their estates to be forfeited, the archbishop's temporalities to be seized, and his person reserved for farther advice, by the king's assent; but the other three to be drawn and hanged as traitors. The last part of this sentence was executed on Tresilian, who, being betrayed by a servant, was, on the nineteenth of February, brought before the parliament, and or-

dered to immediate execution at Tyburn. The others had fled beyond sea: the earl of Suffolk (who made his escape from the Tower after being sent over from Calais) to Paris, where he died the fifth of September, the same year; and the duke of Ireland, to Brabant, where, about four years afterwards, he was in hunting hurt by a wild boar, and died of the wound at Louvain; Alexander, archbishop of York, attempting to get abroad, was discovered and seized at Shields, in Yorkshire; but the duke of Gloucester, being obliged to keep measures with the prelates of his own party, did not chuse to meddle with his life, but contented himself with getting the pope to translate him from York to St. Andrew's, in Scotland; this translation, however, did not take effect, because Scotland acknowledged the authority of the antipope Clement, and Alexander was obliged to retire to Flanders, where he continued to serve a small cure till the day of his death, which happened about three years after. His fee was given to Thomas Arundel, bishop of Ely.

The prosecutions of the appeal being finished, the appellants, as well as the lords spiritual and temporal, thought proper to declare, that, "in regard to the king's tender age, and the innocency of his royal person, nothing contained in the appeal, nor any article thereof, nor the judgments passed thereon, should be any reflection on him, nor be interpreted to the prejudice of his person."

The inferior criminals were next brought to justice: the judges in particular who gave and signed their opinions at Nottingham, were condemned to die the death of traitors, their heirs were disinherited, and their estates forfeited. The same sentence was passed upon John Blake, for drawing up the questions; and one Thomas Huske, for aiding and abetting therein. In vain did the judges plead in their defence, that they were terrified into these resolutions, by being menaced with death: their plea was over-ruled, as was also the defence set up by the two latter named persons, who pleaded their being retained as council for the king, and swearing to his secrets, and that they had done nothing but by his command: faction and revenge now held the sword and balance of justice, and they were the next day hurried away to execution; but the judges found such favour, through the intercession of the bishops, that they had pardon of life and limb, and were only banished for ever to different towns in Ireland, with a certain allowance to each for his maintenance*. Thomas bishop of Chichester, the king's confessor, was impeached "for being present at the place and time, when and where the questions were put to the judges, and for not making known the same." For this, by a strange stretch of the laws, he was adjudged guilty of high-treason, and condemned as a traitor; but afterwards banished for life to Ireland.

On the twelfth day of March, sir Simon Burley, sir John Beauchamp of Holt, baron of Kidderminster, sir John Salisbury, and sir John Berners, were brought to the bar of the lords, to hear the articles of impeachment brought against them by the commons, in which they were accused "of aiding and abetting the five appealed and attainted persons, in their unlawful proceedings; and for proposing

* Fulthorp, Burgh, Belknap, and Holt, had each forty pounds per annum; Cary and Lockton twenty pounds a year a-piece. Rymer, vol. vii. p. 591.

to yield Calais to the French, and carrying the king away from the commissioners of the government into Wales and Cheshire." Burley, in particular, was charged with "having contributed to keep the earl of Suffolk so long in the post of chancellor, and letting him escape out of the realm; with abetting the duke of Ireland in his raising forces, and bringing him to court, and procuring him a grant of great estates in Wales; and with introducing the mayor of Dover to the king, to assure him of sending a thousand able-bodied men from the Cinque Ports to his assistance against the appellants." The accused, to a man, denied the charge, and offered to maintain their innocence as knights, by single combat. Upon this the lords adjourned for a few days, in order to take the matter into consideration. In the mean time great interest was made to save the life of sir Simon Burley, who had been the king's preceptor from his infancy, and had brought the queen over from the continent: that princess herself, who, on account of her many amiable qualities, was universally beloved, and commonly called the Good Queen Anne, joined her hearty intercessions in his behalf; and even the earl of Derby, one of the appellants, exerted his utmost endeavours to save him; but the duke of Gloucester, who was eagerly bent upon his destruction, could not be wrought upon by any instances to consent that his life should be spared, and he was adjudged to die the death of a traitor†: but as he was a knight of the Garter, and had served the king and his father in several offices with the greatest reputation, the king, with the assent of the lords, remitted the drawing and hanging, and he was beheaded on Tower-hill, on the fifth day of May. Beauchamp and Berners had likewise the same indulgence; the former on account of his noble blood, and the latter as having been the king's ward, and in his nonage about his person: but the sentence was executed in all its rigour upon Salisbury.

These sacrifices being made to justice, and perhaps to faction and revenge, the parliament passed an act of amnesty and pardon "in favour of all who had been about the king's person, or of the retinue, council, company, assent, or ordinances of those who had been attainted and condemned"; excepting, however, certain persons of the clergy as well as laity, who were excluded by name from the benefit of this pardon. The attainted persons still alive, were rendered incapable of being restored to the protection of the law; any pardon that they might obtain, was, by anticipation, declared null; and it was enacted, that any person soliciting or endeavouring to procure any grace in their behalf, should be tried, condemned, and executed as a traitor." By another act, the commission and statute of the preceding year, with the proceedings of the appellants and their partisans, "were confirmed, and these last, including the Londoners by name, were indulged with a pardon for all felonies, insurrections, murders, and other crimes they might have committed." The appeals, impeachments, judgments, and executions made and awarded in this parliament, were approved, affirmed, and established, notwithstanding the absence of the lords spiritual; with the proviso, however, "that this approbation, affirmation, and establishment, should not be drawn into example or consequence: and

that although divers points had been adjudged treason in this parliament, which were not declared to be such in any other statute, yet no judges should be empowered to give judgment in any future cases of treason, except in the usual manner practised before this parliament*."

Richard having, in the opinion of the nation, violated his coronation oath, it was deemed necessary that he should renew that solemn contract, which he accordingly did, in Westminster abbey, on Wednesday the third of June. As soon as the ceremony was over, the lords and commons took a new oath, "not to assent or suffer, as far as in them lay, that any judgment, statute, or ordinance made in the last parliament, should be annulled or repealed in any time to come; and that they would support the good laws and customs of the realm, and do their utmost to preserve its peace and tranquility." The archbishop of Canterbury and the bishops at the same time denounced sentence of excommunication against all that should break the oath and disturb the peace of the kingdom. In relation to this oath, we cannot forbear observing, that the first part destroys itself, as it tends to take from any succeeding parliament that very absolute power which this parliament had so plenarily and professedly exercised.

The commons had already continued the duty upon wine and merchandize, and granted an half tenth and half fifteenth, to defray the charge of a naval armament; but now they continued the subsidy on wool and leather, and assigned twenty thousand pounds of the produce of the appellants, for the charges of their prosecutions and other services. After these important transactions, the sessions, which had continued from the third of February to the fourth day of June, broke up, after having truly deserved the character given of it by cotemporary writers, who have transmitted it down to latter ages, under the denomination of the Merciless Parliament. Another was held the same year, at Cambridge, which seems to have been supplementary to this, in which many wholesome regulations were revived, and others enacted for the public good; and the clergy and laity granted a farther subsidy. In this parliament, the king's half-brother, John Holland, who had some time before obtained his pardon for the murder of sir Ralph Stafford, was created earl of Huntingdon, on the death of Guichard de l'Angle without male issue: here likewise the staple of wool was removed from Middleburgh to Calais.

During these civil transactions, in this remarkable year, some passed of a military nature, not unworthy recording. The earl of Arundel was, in the spring, appointed governor of Brest, by the interest of the lords appellants, and was reinstated in his commission of admiral. Soon after Whitsuntide he put to sea, and had the good fortune to take or destroy fourscore French ships: he likewise took and pundered the isles of Rhée, Oleron, and others of less consequence, on the French coast; and then returned to England, where he met with a very favourable reception. He sailed again, towards the latter end of the year, with a formidable fleet, having on board the earl of Nottingham, the lord Clifford, sir Thomas Piercy, sir William Shelley, sir Thomas Coote, and many other

† Vita Ric. II. p. 102.

* Rot. Parl. 11 Rich. II. p. 1. n. 36—39, 43, 46. See also Ruffhead's Statutes at Large, stat. 11 Rich. II. Appendix. persons

persons of distinction, with a body of six thousand land forces. His intention was, not only to insult the French coast, but to induce the duke of Brittany to declare war against Charles. This fleet, however, was soon attacked and dispersed by a violent storm, and the earl himself, with twenty-seven ships, was obliged to put in at the small port of la Pates, within a league of Rochelle: here he was soon informed that the marshal de Sancerre, who was at that time busied in the siege of Bouteville, hearing of the distress of the English fleet, had ordered the Rochellers to put to sea with eight galleys and block up the earl's ships in the harbour, while he marched himself to attack them by land. This project would have infallibly ended in the taking or destroying the whole fleet, had not Arundel, with amazing dispatch, got his ships ready for sea before the arrival of the enemies galleys, and, sailing out of the harbour, met them in the offing, when an engagement ensued, in which all the galleys were taken or sunk; and then, returning into port again, he landed his troops, and marched to meet Sancerre, whom he defeated, and pursued almost to the gates of Rochelle. But these successes were more than balanced by the loss of an ally from whom the English nation had conceived great hopes of advantage: this was the duke of Gueldres, to whom Richard allowed a pension of one thousand pounds per annum, in consequence of which he had actually declared war against the king of France; but the French monarch instantly marching a numerous army into his territories, the duke was so terrified, that he threw himself upon the mercy of Charles, and obtained his pardon upon renouncing all his engagements with the court of England. This defection was soon followed by that of the duke of Brittany, who, on his confining the constable of France, as already related, had incurred the displeasure of Charles, by whom he was threatened with the severest vengeance: in this extremity he had entered into a negotiation with the earl of Arundel, for throwing himself once more into the arms of the English; but the dukes of Berry and Burgundy had interposed so effectually with Charles, that the latter not only granted him his pardon, but also obliged the constable to make him several concessions: this indulgence entirely riveted the duke of Brittany in the interest of the French court, and he forthwith broke off all treaty with that of England. The earl of Arundel, upon the news of this accommodation, laid up his fleet, and returned to England. The loss of these two important allies may not unjustly be ascribed to the factious and changeable measures of the great people here, which made other powers dubious of acting in concert with the ministry now at the helm, lest they should be abandoned by the next which took the lead.

While matters went thus on the continent, Scotland furnished only a scene of disgrace to the English arms. Those people, agreeable to their established custom, had taken advantage of the late confusion of this nation, to make several successful inroads into the northern counties, which they had ravaged with fire and sword, and carried off three hundred prisoners. In the beginning of August this year, they again invaded Northumberland, though with a small army, consisting only of three hundred horse

and two thousand foot, but these the flower of their nation, and commanded by officers, each of whom, by his single valour and military talents, was equal to an host of undisciplined and irregular militia: these were the two Douglas's*, the earls of Fife, Murray, and Dunbar. After waiting part of the bishopric of Durham, they advanced as far as the gates of Newcastle, where the lord Henry Percy, surnamed Hotspur, son to the earl of Northumberland, first made head against them, but with such ill success that his troops were defeated, and himself baffled in single combat by the younger Douglas, who, after bringing him to the ground, seized upon his lance and pennon, which he vowed, in his hearing, to carry with him into Scotland, as a trophy of his victory. The Scots having finished their devastations, quitted the country and began their retreat home. Hotspur, inflamed with rage at his late overthrow and the loss of his military ensign, vowed that Douglas should never carry his lance away in triumph; and having collected a body of six hundred horse and eight thousand foot, he immediately began his march in pursuit of the enemy, without waiting for a reinforcement of troops that was coming to join him, under the bishop of Durham.

The Scots, in their return home, had sat down before the strong castle of Otterburn: they were lying there when Percy, by forced marches, came up with them, and, without so much as giving his men time to rest after the fatigue of their march, fell furiously upon the enemy. It was very late in the evening before the engagement began, so that night overtook both armies in the midst of their conflict, and obliged them to separate, without victory declaring for either side: however, the moon rising about midnight, and shining out very bright, as it usually does at that season of the year (this engagement being fought on the fifteenth of August), Hotspur renewed the attack with great eagerness, and made such prodigious efforts to retrieve his honour, and was so bravely seconded by his men, that the Scots began to give ground; this being perceived by the gallant Douglas, he rushed with his battle-ax into the thickest of the English ranks, and was so closely followed by the earl of Dunbar, and other gallant young Scottish noblemen, that the English, weakened with their late journey, and the labour of the fight, began to give way in their turn, though not before the brave Douglas had received three mortal wounds, of which he presently expired; but, apprehensive that the news of his death might dispirit his troops, he ordered, in his last agonies, that his body might be concealed out of view; this precaution had the desired effect, for the Scots, supposing their beloved leader was still in the action, pursued their advantage with such vigour, that the victory was in a short time theirs. Hotspur, his brother, sir Ralph Percy, and an hundred gentlemen and officers of distinction, being taken prisoners, and above twelve hundred of the English left dead upon the field. The bishop of Durham, who was on his march with ten thousand men to Percy's assistance, was met by several of the run-aways, who had escaped the fate of their comrades, and who gave such dreadful accounts of their late defeat, as struck the reverend chieftain with dismay, who immediately made the

* Archibald, earl of Galloway, and his son William Douglas. Buchanan, lib. ix.

best of his way back to Newcastle, leaving the Scots at liberty to return home, enriched with a great booty, and exulting in their triumph over an enemy before whom they had so often fled: but had it not been for this dastardly behaviour of the prelate, the Scottish laurels must have been dyed in the blood of those who wore them, since it is certain they were so exhausted with fatigue, and so reduced in their numbers, that they could not have been able to have withstood even an inferior number of fresh troops.

While these things were transacting in Britain, the duke of Lancaster continued to prosecute his affairs in Spain, with various success; but at length he found his army so diminished by fatigue and sickness, and supplies so difficult to be procured from England, that he entered into a treaty of accommodation with the reigning king of Castile, who, on condition of his resigning all his claims upon that crown, agreed to pay him down six hundred thousand livres, with a yearly pension of ten thousand pounds during the lives of him and his dukes. This treaty was followed by a marriage between Catherine, the duke's daughter by the princess Constantia, and prince Henry, the eldest son of the king of Castile: so that, although the duke did not succeed in the whole of his enterprize, yet, every thing considered, it turned out to his advantage, by the aggrandizement of his family. Having concluded this agreement with the king of Castile, the duke, in the beginning of the year 1389, returned to England, where he was received by his royal nephew with such caresses as gave room to hope for an happy union between them for the future; but, whatever appearances Richard might put on, the presence of the duke of Lancaster was far from being pleasing to him; he had very lately experienced the power of one uncle, and feared that if they were both to join their influence, he should soon find himself left with little more than the shadow of royalty; in order, therefore, to obviate this disagreeable event, he thought no price too great to purchase the absence of Lancaster, and accordingly, under the mask of affection, he made him the richest present that a king of England could then make a subject, by investing him with the duchy of Guienne, with the same privileges as were granted the late prince of Wales, the king's father: at the same time he employed him in negotiating a truce with France, which was finally agreed upon, to last from the nineteenth of June, 1389, to the sixteenth of August, 1392. The allies of both crowns were included in this treaty, to which Robert, king of Scotland, afterwards acceded.

The king was now twenty-two years old, and had not yet been suffered by his uncles to have the management of his kingdom. Charles VI. of France had lately set him an example, who, by a sudden resolution, had got rid of his uncles, who had treated him as their pupil rather than their king: Richard hoped to succeed as well in taking the same method; and, if we consider the circumstances of the times, the step he took to accomplish his design was a bold and masterly stroke in politics, and (not improbably) suggested by William of Wickham, bishop of Winchester, and other lords, now grown jealous of the great power (little short of royalty) that the duke of Gloucester had arrogated to himself.

Easter was the usual time for holding an extraordinary council, most of the great lords at that time giving their attendance; accordingly, on the third of May this year, one was held, which was very full: when the council was sitting, Richard came briskly in, and, taking his place among them, demanded suddenly, "what age he was of?" Answer being made, that he was twenty-two, "Then (replied he) now that I am come to man's estate, why should my condition be worse than that of any nobleman or gentleman within the kingdom, who is admitted earlier to the management of his estate and affairs?" The lords answering, in some confusion, "that he had an undoubted right to take upon himself the government of the realm, if he was so pleased:" he replied, "that, having been so long under the guidance of tutors, he would now act alone, and try to manage the business of government himself." With these words he commanded Thomas Arundel, archbishop of York, to deliver up the great-seal, and, receiving it from him, gave it, the next day, to William of Wickham, bishop of Winchester: he removed the duke of Gloucester, the earl of Warwick, and other powerful lords, from his council, and filled their places with others whom he thought more worthy of his confidence. The earl of Arundel likewise was removed from being admiral, and that office was given to the king's half-brother, lately created earl of Huntingdon; and the office of treasurer was taken from the bishop of Hereford. All these changes were made without the least opposition from the duke of Gloucester, or his party, who, in this affair, were fairly outwitted; and Knyghton, from whom this account is taken, informs us, that the people conceived great hopes of their king's future government, from this instance of a seasonable resolution*. The next step Richard took, was to issue a proclamation, directed to all the sheriffs of England, acquainting them "that he had taken the entire government of the nation into his own hands, and that the people might depend upon seeing justice distributed, and the tranquility of the nation preserved." On the sixteenth of May following, he published a writ, calculated to impress the people with a favourable opinion of his regard and tenderness to them: this writ declared, "that, till he saw further cause of collecting it, he suspended the payment of one half of the tenth, and one half of the fifteenth, granted by parliament; and this (says he) we do out of our own special mere motion, no person in the world compelling us to the same†."

On the sixteenth of January, 1390, the parliament sat at Westminster; and, on the fourth day of the sessions, the bishop of Winchester delivered the great-seal to the king, as did the bishop of St. David's his keys, as treasurer; both of them at the same time declaring that they were ready to answer, in full parliament, to any complaints that might be made of their conduct during their administration. The commons, pleased with this mark of candour and confidence in the king and his ministers, expressed themselves entirely satisfied with every part of their conduct; and the king, with the unanimous approbation of the house, redelivered to them the badges of their offices: and, in order to please all parties, restored to their places at the council-board the duke of Gloucester and the other

* Knyghton, Vita Rich. II. p. 108, 109.

† Rymer, vol. vii. p. 620.

noblemen he had removed from thence on his taking the government of the realm into his own hands; but at the same time he entered a protest, importing, that "any thing then done should not preclude him from placing or displacing such counsellors as he should think proper." In this parliament the king created his uncle of Lancaster (returned again to England) duke of Aquitaine for life*, with consent of the lords and commons, and an appointment was to be settled on him, suitable to that dignity: Edward Plantagenet, son to the duke of York, was, at the same time, created earl of Rutland, during his father's life, with a grant of eight hundred marks a year, to support his new title.

As the oppressive practices of the court of Rome were by this time become frequent and intolerable, the commons petitioned that the statutes enacted against these encroachments upon the royal authority, and the liberties of the nation, in the reigns of Edward I. and Edward III. should be revived and punctually executed, and farther regulations made for the redress of that grievance. The archbishops, alarmed at this petition, entered a protest, in behalf of themselves and their clergy, declaring, "that they would not give their assent to the revival of any old statute, or the passing any new law, that might affect the authority of the pope, or prejudice the rights and privileges of holy church." But, notwithstanding this protest of the clergy, the former statutes were ordered to be revived and put into execution.

In this parliament also, among other things, it was enacted, that the king should not extend his pardon to any persons convicted of murder; and a penalty was awarded against any person that should importune the king thereto, which penalty was laid according to the rank and estate of the person. Both king and parliament now seemed so perfectly content with each other, that, before the house broke up, it granted a considerable subsidy upon wool and leather, which was continued in a subsequent parliament, that met on the twelfth of November this year, when the lords and commons unanimously declared, "that the royalty and prerogative of the king and his crown should be saved and maintained, and whatever had been done against them redressed and amended, so that the king should be as free as any of his predecessors." And, at the breaking up of the sessions, the lords and commons presented their humble thanks to the king for his good government, and the great affection and zeal he had manifested for the happiness of his subjects†.

While these things were transacting in the house, the earl of Northumberland was made governor of Calais: and as England now enjoyed a profound peace, and was free from all danger of foreign invasion, the earl of Derby, weary of an inactive life, obtained the king's consent to go and serve under the grand-master of the Teutonic Order, against the Infidels of Poland and Tartary. But while the subject was thus engaged abroad in the pursuit of glory, the sovereign spent his time in idle parade and mock combats, which we should not think worthy of a place in this history, but as they may serve to fill up the vacancy of more interesting

events in this inactive year, and give the reader an idea of the romantic humour of the age; we have therefore selected the following from Mr. Tyrrel‡.

Richard having proclaimed, in all the courts of Europe, a great tournament (or jousts, as they were then called) to be held at London, on Sunday after Michaelmas-day, upon this notice a great many noblemen and gentlemen from France, Germany, and the Low Countries came over hither for that purpose; and among others, William, earl of Ostrenant, eldest son to the earl of Hainault, Holland, and Zealand, though against the will of his father; as also Valeran, earl of St. Pol, Richard's brother-in-law. This solemnity began on Sunday in the afternoon, from the Tower, by a noble cavalcade of sixty ladies, richly dressed, who, riding upon white palfreys, led every one her knight by her side (all armed and on foot) by a chain of silver, their coursers being led before by as many esquires of honour: in this manner they passed through Cheapside to Smithfield, where the jousts were to be held. Then the knights, mounted upon their coursers, began the tournament by running one at another with their lances, thirty on a side, the king and queen looking on from scaffolds made on purpose. The next day the king, richly armed, jousted himself, in the presence of the queen and the ladies of the court. In this manner these jousts continued for four days, from noon till night, and every evening concluded with a magnificent repast and entertainment of music and dancing, in which the queen, her ladies, and many of the young nobility were performers. On Saturday the king went to Windsor, accompanied by the earls of Ostrenant and St. Pol, on the former of whom he conferred the order of the Garter: then, the feasts being over, they returned home. But the king of France was so displeased with the earl of Ostrenant for taking the king of England's order, that he immediately summoned him to Paris, to do his homage for that earldom, thereby to secure his fidelity. In one of the tournaments, held this year, was slain John de Hastings, the last earl of Pembroke of that family, in which it is remarkable that none of the sons ever saw his own father, the father always dying before the son was born.

The next year, 1391, furnishes us with as few memorable events as the preceding one. The duke of Gloucester, either to enhance his own value with the people, or to raise his military reputation, desired leave to go into Prussia, to serve, like his cousin of Derby, in the Teutonic army, which Richard readily consented to; however, he made no use of this licence till after the breaking up of the parliament, which had been summoned to meet on the twelfth of November this year, and which proved no less remarkable for its loyalty and affection to the king, than some former ones had been for their attacks upon the royal prerogative; for in this session they not only renewed the declaration touching the king's enjoyment of his prerogative, but made this additional clause, "notwithstanding any statute or ordinance formerly made in derogation thereof, particularly in the reign of king Edward II." and this was passed into an act of parliament||. From hence we may date the commence-

* The investiture was performed by delivering to the duke the cap, the coronet, and the ducal rod, and then receiving his homage. Guth. Smollett.

† Rot. Parl. 14 Rich. II.

‡ Vol. iii. p. 945.

|| Rot. Parl. 15 Rich. II. n. 1. 13.

ment of Richard's new reign; and, without looking back to former miscarriages, now buried in oblivion with his days of nonage, applaud or censure him according to his future demeanour.

Both houses seemed more disposed than usual to give the king ample supplies for all his occasions, and actually made him a grant of a tenth and a fifteenth (over and above the supplies voted in the parliament of the preceding year) for defraying the expence of a voyage to France, in which he proposed to have an interview with Charles VI. in order to settle terms for a long truce or a final peace with that kingdom. In return for this liberality the commons thought they had a right to expect a compliance with all their requests, of which they now made two very extraordinary ones; for by the rolls of this parliament we learn, that the knights of shires petitioned, "that, as it was a common practice in corporations to enrol in the number of their burgesses all villains (or copyholders) after having lived a year and a day among them, without being being reclaimed or molested, the lords of the manors might be allowed to enter such boroughs, and seize and bring away the villains, who were part of their property." The crown had, more than once, found, to its great disadvantage, that the powers of the nobility and the chief commons, or men of property, in general consisted in the absolute dependence of those villains upon themselves: it was therefore resolved to break through or dissolve this dependence by degrees; and this opportunity seemed a favourable one to make the first blow; accordingly the king returned for answer, "that he would be advised," which, in the language of king and parliament, is a refusal. The same answer was also given to another petition of the like tendency, preferred by the whole body of the commons, in which they desired, "that an act might be passed for disabling the villains, or copyholders, of prelates and monasteries to purchase land in fee, and for prohibiting all villains whatever from sending their children to school, by which means they acquired learning, and delivered themselves from their state of dependence and servitude, to the prejudice of the right and honour of the freeholders in England." These are the very extraordinary words used in this petition, and to be found in the parliament rolls of the fifteenth year of this king's reign. By this parliament the staple of wool was removed from Calais to England, and so continued*.

Notwithstanding the repulses the commons had met with from Richard, in relation to the above petitions, they had great reason to be pleased with his conduct in this session. The schism in the church of Rome still continued, and Boniface IX. being elected in the place of Urban, by the Italian party, sent a nuncio to England, to use his best endeavours for a repeal of the statutes of provisors, and others, which had been enacted against the encroachments of papal authority, as well as for preventing a peace between Richard and Charles of France, who supported the antipope Benedict XIII. The nuncio executed his commission with great ability; but Richard very prudently declined taking any step that might hurt him in the opinion of the people, whose favour he at this time seemed very studious to preserve; accord-

ingly he referred the whole matter to the parliament, who having taken his holiness's propositions into consideration, thought proper to reject them, and recommend a peace with France: Richard acquiesced in their sentiments, and declared himself ready to confer with the king of France in person. Upon this avowal of his intentions, the great corporations, convents, and other bodies outvied each other in assisting their sovereign to make an appearance on the continent suitable to his own exalted station and the dignity of the nation over which he reigned. This interview between the English and French monarchs was, by appointment, to be held about the beginning of March in the ensuing year, at Amiens; but an epidemical distemper having raged for some time in England, and the Scots beginning to stir themselves again upon the borders, it was thought adviseable by the king's council for him to lay aside his design for the present.

However, towards the beginning of the year 1392, a commission was made out under the great seal, appointing the king's two uncles, the dukes of Lancaster and York, with the earls of Huntingdon and Derby, the bishops of London and Durham, sir Thomas Piercy, and others of the king's council, to go over to Amiens, in quality of plenipotentiaries, to treat of a durable peace between England and the courts of France and Scotland. They were met on the road by the dukes of Berry and Burgundy, and conducted to the place appointed for the conferences, where they were magnificently entertained during their stay, at the expence of the French king; but so many difficulties arose in the course of the conferences, by the high demands of both parties, that nothing effectual was done.

The duke of Burgundy, who managed on the part of France, insisted on the rendition of Calais, but offered Richard the quiet possession of all he then held in Aquitaine, independent of the crown of France, and even offered to pay the remainder of the money due for king John's ransom within three years; but the duke of Lancaster not only refused to comply with this article, but insisted that all the places the English were to hold in France by the treaty of Bretigny (most of which were now lost), should be again put into their hands. Proposals so incompatible, defeated the scheme of a definitive treaty, so that the whole ended in the prolongation of the truce then subsisting, for one year. At the same time, John de Chateau Morant and Taupin de Chantemerle, two French lords, were sent over with the English ambassadors, to know the sense of the king of England and his council on these proposals for a final peace. At their arrival they found the king and the duke of Gloucester waiting for them at Dover, where they made their report of what had passed at the congress. The council proceeding to take the several proposals into debate, the duke of Gloucester, ever overbearing and impetuous, cut all short by declaring that the council had no power to accept any proposals of peace, nor could any thing be proceeded thereon but in full parliament. The duke's interest was so great, that no one present durst object to his opinion; and the French lords, having seen the truce agreed upon properly ratified, were put off for an

* See Cotton's Abridgment, p. 338.

answer as to a final peace, till the meeting of a parliament, which could not be held till after Michaelmas.

Such was the issue of the duke of Lancaster's negotiations at Amiens; in which, however, he found his own account, the half tenth of the clergy, and the whole fifteenth of the laity, lately granted, being allowed him for the expences of his voyage: but the grant which he had procured of the duchy of Guienne was not productive of those advantages to him which he expected to derive from it; for the king's order for putting him in possession of that duchy was warmly disputed by the inhabitants of the principal cities, who, knowing the situation of affairs at the English court at the time that Richard made this grant, suspected that he had been forced into it by the over-bearing power of his uncles, and that it contained an alienation of the province from the crown of England for ever, in favour of the duke and his heirs; they therefore sent over deputies, about Midsummer this year, to be satisfied in this particular from Richard himself, who, upon their arrival, convoked a great council at Nottingham, in which he assured the deputies, that he had made the grant of his own free will, for the duke's natural life only: at the same time he confirmed the liberties and privileges of the clergy, nobility, cities, and commons of Guienne, in a formal instrument signed by himself, and authenticated by the great-seal of England.

About this time the citizens of London, having incurred the king's displeasure by refusing to lend him a sum of money he wanted to borrow of them, and having also fallen upon and almost murdered a Lombard who offered to supply the king with what sum he wanted, and committed several other outrages; the mayor and principal inhabitants were summoned to appear on Monday, the twenty-second of July, at a council held at Windsor, where the court resided this summer; and, after a full hearing, in which they could allege nothing in their defence, the city was adjudged to lose its liberties and privileges, all its magistrates were displaced, and the custody of the city committed to sir Edward Dalynghregge: but upon the humble submission of the citizens, and the earnest entreaties of Richard's beloved queen, they were, in about six weeks after, reinstated in their ancient form of government. On this occasion Richard and his consort made a public entry into the city, where they were received with unspeakable magnificence, and at their departure, the lord mayor and sheriffs, "in the name of the poor and loyal citizens of the king's city of London," presented the royal pair with ten thousand pounds and two royal crowns of gold.

Charles VI. of France being seized, in August this year, with a phrenzy*, which rendered him incapable of government, the affairs of that realm were some time in confusion, till his uncles, the dukes of Berry and Burgundy, were settled in the

regency. This, perhaps, was the reason why the parliament, to whose judgment the terms of a peace were referred, and who was to meet at Michaelmas this year, was prorogued to the twentieth of January of the ensuing year, 1393. The roll, however, takes no notice of any debates in either house in relation to this peace, which, probably, in the situation of France, was thought uncertain. In the beginning of this sessions, deputies arrived at London from the English settled in Ireland, imploring assistance against the natives. For some time there had been frequent insurrections in that island, which shewed the Irish wanted to shake off the yoke of the English: these disorders had long called for some remedy; but Richard, buried in his pleasures, had wholly neglected them. However, upon this deputation, he appointed his uncle, the duke of Gloucester, his lieutenant in that province (some say with the title of duke of Ireland), and the latter made great preparations for going over thither; but Richard, fearful of investing him with so great a power, as knowing his ambitious disposition, revoked his commission: this step did great prejudice to the English affairs in that country; for upon the report of Gloucester's coming over with a great army, almost all the petty kings of Ireland, who were at the head of the disturbances there, had resolved to make their submissions to the English government.

It was in this parliament that the famous statute of *Præmunire*, as it is usually called, was passed (or rather revived and new-modelled from that of Edward III.) against all "who purchased or solicited in the court of Rome, or elsewhere, any translations of bishops, processes and sentences of excommunication, bulls, instruments, or any thing else, in prejudice of the king, his crown, regality, or kingdom; who were, for such misdemeanor, to be punished with the confiscation of goods and perpetual imprisonment." But for what farther relates to this statute, we refer the reader to its proper place, where he will find it at large. These precautions had such an excellent effect, that, during the remaining part of Richard's reign, few instances occurred of papal usurpation, nor did any attempt of that kind succeed without the warrant of a royal licence.

At the breaking up of this parliament, the king constituted the duke of Lancaster his lieutenant in Picardy, and gave a commission to him and the duke of Gloucester, to treat with the dukes of Berry and Burgundy about a prolongation of the truce, which was at length agreed upon, to hold, by sea and land, from Michaelmas, 1394, to Michaelmas, 1398. In the month of October, the marshal of Navarre arrived in England, to demand the restitution of Cherbourg, which had been delivered up by the late king Charles of Navarre only conditionally, and to be restored on paying a certain sum: the money was proffered, and the king's

* He was then near Mons, on his way, with an army towards Brittany, in order to chastise the duke of that country for having given an asylum to Peter de Craon, a man of high quality, who had attempted to murder the constable of France. His attendants had, before this time, observed many inconsistencies in his manners; but an accident now worked him up to absolute phrenzy, for while his army was on its march, a mean-looking man came running up, and called out, through the crowd which was about the king, "Sire! whither are you going? You are betrayed: you are going to be delivered into the hands of your enemies!" Charles was struck with this in-

cident, and while his mind was in a conflict between doubt, dread, and distrust, the sword of a gentleman, near his person, happened to drop from the scabbard; this critical accident, which Charles mistook for an attempt, in the person, to stab him, so overpowered his reason, that growing furious, all of a sudden, he drew his sword, killed the gentleman who had dropped his, as he was stooping to recover it, and murdered three other gentlemen, before his attendants could secure and convey him back to Mons: there he lay for two days in a lethargy, with very little appearance of life, but at length happily recovered. Daniel, Hist. de France.

council having given it under their hands, that the said rendition ought to be made in justice, the king issued a writ, on the twenty-second day of October, appointing sir Robert Whitney and one Melton, a clergyman, to receive the place from sir John Golofre, the governor, and deliver it up to the king of Navarre.

The year 1394 opened with a parliament, in which there were very strong debates relating to the late negotiations with France, occasioned by certain ambiguous expressions in a plan of a definitive treaty, implying some homage which Richard was to pay to the crown of France, and gave great offence to the commons, who unanimously joined in desiring, "that the king would not pay liege-homage; that there should be a saving of the liberty of his person and of the crown of England; that he and his heirs might reserve their claim to the crown of France, if the peace should be infringed by Charles; and that measures should be taken to prevent any future confiscation of Guienne." This remonstrance, or petition, was presented to the king by sir John Buffy, the commons speaker, and a declaration was tacked to it, importing, "that till these preliminaries were settled, the commons could not give their advice in any thing relating to the peace." This occasioned some sharp debates among the lords, and in particular between the duke of Lancaster and the earl of Arundel, who had long been jealous of each others great power: in the course of this dispute the earl of Arundel openly accused the duke "of being too familiar with his sovereign; of obliging the king and his retinue to wear his livery; of overawing the members of the council, so as to hinder them from speaking their real sentiments; of having obtained by unfair means a grant of Guienne, and an exorbitant sum of money for his expedition into Spain; and, lastly, for negligence and misconduct in the management of the late treaty."

Richard, who had long hated Arundel, on account of his popularity, made himself a party in this quarrel, and took upon him to be a personal advocate for his uncle's conduct; in short, he carried matters with so high a hand, that Arundel was glad to ask pardon of the duke in full parliament; but this concession did not exempt him from being put under arrest by Richard's orders, and he continued in confinement for some time, till the entreaties of some of his friends, who had interest with the king and the duke, procured his release.

The king now acquainted the house, that he had lately received very pressing remonstrances from his English subjects in Ireland, who were threatened with the total loss of their estates, and even lives, by the natives of the country, who, headed by their petty princes, were continually falling upon the English possessions, and committing great acts of outrage and cruelty, insomuch that he was determined to pass over thither in person, and reduce the rebels to perfect obedience, not doubting that his parliament would enable him to put this design in execution, by granting him a suitable aid. The commons readily concurred in their sovereign's views, and cheerfully voted him such a subsidy as appeared proportioned to the importance of the enterprise.

But while Richard was busied in making preparations for his expedition, an event fell out, which filled him with the deepest concern: this was no

less than the death of his beloved consort, queen Anne, whose many amiable qualifications and tender affection for Richard, had deservedly gained her all his esteem, as the general tenour of her conduct had that of the whole nation, who participated with their sovereign in the grief he felt for her loss. She was interred, on the third of August, at Westminster, with a pomp every way suitable to her high rank and the great love the king bore her.

Much about the same time died Constantia, duchess of Lancaster, daughter to the late king of Castile; as did likewise her younger sister, Isabella, wife to the duke of York: on this occasion Richard, who was extremely fond of his godson, Edward Plantagenet, eldest son of the duke of York, settled on that young prince a very handsome pension, for those days, amounting to little less than a thousand pounds per annum.

Richard's grief for the loss of his beloved queen did not, however, so far stifle in him the emotions of glory as to make him forget what he owed to himself and the nation: he was going to undertake a precarious expedition, in which he was to be subject not only to the chances of war, but to those of the sea likewise; and as he had yet no heirs of his own body, he thought it behoved him to take some care of the succession; with this view he declared Edmund Mortimer presumptive heir of the crown. This young nobleman was son to Roger Mortimer, earl of Marche, who married Philippa, the sole daughter of Lionel, duke of Clarence, third son of Edward III. The duke of Lancaster being gone over to his government of Guienne, and the duke of Gloucester being to accompany the king in his expedition, his other uncle, the duke of York, was made guardian (or regent) of the kingdom, during the king's absence. And now a general muster being made of the forces designed for Ireland, they were found to amount to about thirty-four thousand men, all well armed and appointed. With this army, and attended by the duke of Gloucester, who was to command immediately under the royal person, and by the earls of Marche, Nottingham, and Rutland, who had each their station of honour allotted them, Richard embarked, about Michaelmas, at Milford Haven, in Wales, and landed safely at Corke, in Ireland, about the beginning of October.

The natives were struck with such a panic at the arrival of an army commanded by a king of England in person, that part of them retired to their fastnesses, and part submitted in the humblest manner to Richard, so that he found little to do but holding a parliament at Dublin, to concert proper measures for insuring the future tranquility of the kingdom. Pleased with the success of his expedition, and desirous, if possible, to conciliate the affections of these people, he empowered the earl of Nottingham to receive, in his name, the submission of all the Irish in Leinster; and, at the same time, issued proclamations, promising forgiveness for all that had passed to such as would voluntarily engage to live in peace and harmony with the English, and assuring them of his protection. These lenient measures had a very salutary effect; many of the powerful chiefs came in, and in particular O Neil, who either had, or pretended to have a paramount authority over the other princes of Ireland, and who now made a tender of his homage to Richard, and swore fealty to him at Drogheda, though with

a preservation of his supposed sovereign power, in which Richard very judiciously indulged him. To complete the favourable impression which his humanity and politeness had made on these people, the king determined to keep his Christmas at Dublin, and invited all the Irish chiefs to a grand entertainment in that city, where he entertained them with great magnificence, and many marks of condescension: in particular, he conferred the honour of knighthood on four of their kings, whom he allowed to sit, in robes suitable to their quality, at the same table with himself: in a word, the whole of his behaviour was such as deservedly gained him the esteem and affection of the natives, amongst whom he used his utmost endeavours to introduce the English customs, habits, and way of living, to which they appeared less averse than he could have supposed.

In the beginning of the year 1395, Richard sent his uncle, the duke of Gloucester, over to England, to assist at a parliament holden there by the duke of York, as guardian of the realm, and to lay before that assembly an account of his progress in Ireland, and to ask their advice in relation to his farther proceedings. The parliament were so pleased with the king's good management in this business, and in particular with this mark of his regard to their body, that they, by letter, congratulated him upon his success, and, while they expressed the highest approbation of his conduct, signified to him, "that his faithful commons had cheerfully voted him a considerable supply, to enable him to complete the reduction of that country." The clergy likewise granted him an aid of a tenth, but with this declaration, that the same was done purely out of their affection for his person, they not being bound, in strictness of law, to grant the same.

The king, strengthened by this supply, was preparing to take the field again, in order to reduce the few refractory septs, or clans, that yet held out, when the archbishop of York and the bishop of London arrived from England, to entreat him, in the name of the church to hasten his return, intimating that the least delay might occasion an irreparable damage to religion. The foundation of this great alarm was, that the Wickliffites, or Lollards* as they were called, were now grown so numerous, that they had, by a remonstrance to the parliament, openly charged both the lives and doctrines of the clergy with impurity and absurdity, and had even affixed this charge to the doors of St. Paul's church. As they had many friends in the kingdom, and even in the parliament itself, the clergy were afraid they would set a very disagreeable reformation on foot, for which reason the two deputed prelates so magnified the danger religion was in, that Richard was prevailed on to abandon all the flattering prospects he had in Ireland to come over to England, which he did this year about the middle of May. Upon his arrival at London, he followed the advice of the clergy in the

measures he took to suppress the Lollards, and compelled sir Richard Story, their advocate, publicly to abjure their doctrine, threatening to punish him with death if he ever again relapsed into that sect. But a particular account of this affair will fall more properly into the account of the State of Religion and the Church during this period†.

Richard had not been long in England when deputies arrived again from Gascony, to solicit a revocation of the duke of Lancaster's grant. They alleged, in support of their petition, that their country was inseparably united to the crown of England, and maintained that it was not in the power of the king to alienate it: they said, that if they were once separated from England, they ran the risque of being deprived of the only protection capable of preventing their falling under the power of France: besides, urged they, "supposing the duke of Lancaster's female descendants should succeed to the duchy of Guienne, with the king's other possessions in France, and that the king of France should make himself master of them by marriage, or by any other method, what balance could be found to the French power, to prevent its giving law to England likewise‡?" This was a home argument, and occasioned several contests on the subject; but the duke of Gloucester, who dreaded nothing so much as his brother's return to England, lest he should rob him of part of his darling popularity, found means to over-rule all these reasons for the present, and the deputies were dismissed, with assurances that all possible care should be taken to prevent any inconveniences they might apprehend from the grant the king had been pleased to make to his uncle of Lancaster.

The next affair that engaged the attention of Richard and his council, was of no small importance to the peace of the nation. The queen having died without issue, those who sincerely wished well to their country began to be extremely uneasy about the succession; for though Richard, before his departure, had declared Edmund Mortimer, son of Roger, earl of Marche, presumptive heir to the crown, had the king died without legitimate issue, the nation would in all probability have been embroiled by the ambitious attempts of the dukes of Lancaster and Gloucester, especially of the latter: in order to prevent so fatal a calamity, Richard was advised to engage in a second marriage, and the council casting their eyes upon Isabel, eldest daughter of the French king, as a suitable consort for the English monarch, the archbishop of Dublin, the bishop of St. David's, the earls of Rutland and Nottingham, the lord Beaumont, and William le Scroope, chamberlain of the household, were sent ambassadors to the court of France, to demand that princess in marriage for Richard: they were instructed to insist upon a considerable portion (no less than two hundred and fifty thousand marks), and empowered to offer ten thousand marks a year for her jointure: and after this match should have

* They had this name given them either from Walter Lollard, a German, who flourished about the year 1315; or else from the word Lolium, signifying Darnel, or Tares, because they were reputed as tares sowed by the evil one in the field of God's church. Tindal upon Rapin.

† Soon after the king's arrival, was brought into England, by his order, the corpse of Robert de Vere, late duke of Ireland, who died at Louvain, as we have before related. This object reviving the king's affection, he caused the coffin to be opened, that he might once more have the pleasure to behold the man whom he so tenderly loved: he then ordered him a magnificent

funeral, which he was pleased to honour with his royal presence, as his great-grand-father, Edward II. had formerly done with regard to Gaveston. But the nobility would not shew that respect to a favourite, of whom they thought they had so much cause to complain: so, like Edward II. Richard was attended at the funeral pomp by only a few of the clergy. The duke's body was interred at Colne, in Essex; and he was succeeded in his estate, and honour of earl of Oxford, by Alberic de Vere, his uncle. Knyghton. Walsingham. Dugdale's Baronage, vol. i. p. 195.

‡ Froissart, lib. iv. cap. 11.

been transacted, the other part of their commission was to effect a marriage between Isabel's younger sister, Jane, and Edward Plantagenet, earl of Rutland, whom Richard distinguished by his affection above all his other kinsmen. This proposal created great debates in the French council: some were of opinion, especially the dukes of Orleans and Berry, that it was preposterous to think of this alliance with a declared enemy, and one who had actual claims upon their crown, till the way had been first prepared by an entire reconciliation, and a renunciation of such claim: others again, at the head of whom was the duke of Burgundy, greatly favoured the match; and, after much time being spent in these altercations, the latter party prevailed so far, that the court of France agreed to the match.

In the intermediate time, the duke of Lancaster, in the beginning of the year 1396, came over into England, and made a voluntary resignation of the duchy of Guienne into the hands of Richard. The duke seems to have been instigated to this resolution by two motives; the first was that of the extreme impatience the Gascons shewed to be under his government, which he knew must raise him continual uneasinesses, without his having assistance to expect from the English parliament, who were, in general, for having his grant revoked; and the other, his jealousy of the machinations of his brother the duke of Gloucester, who, he was very sensible, would omit no opportunity his absence gave him, to raise himself next in authority to the king, the thoughts of which was death to Lancaster, who, though he had not such an itch for popularity as his brother, was extremely selfish. Be this as it might, Richard received his resignation very willingly, and, on his side, was very glad of this opportunity of humbling, or at least ballancing, the duke of Gloucester's over-bearing power. That prince, however, had such an ascendant in the council, that even the king himself durst not venture to support the duke of Lancaster against him; and the latter, in disgust, retired to his estate in Lincolnshire.

We have seen that the proposal of an alliance with France was not accepted immediately; but matters being by this time fully discussed between the plenipotentiaries, it was at last agreed, "that Richard should marry the princess Isabella, and receive with her a portion of eight-hundred thousand franks in gold, at yearly payments; that he should make an absolute renunciation of all his claims to the crown of France; either from his hereditary pretensions, or by virtue of this marriage; that the truce should be prolonged for twenty-five years (viz. to the year 1421); and that the king of France should assist him with his whole power against his rebellious subjects." These points being settled, mutual ratifications passed between both courts; after which the young princess, though only in the eighth year of her age, took the title of queen of England, and was affianced by the earl of Nottingham, as Richard's proxy, on the ninth of May.

The conclusion of this negotiation, and especially the long truce, was an extreme mortification to the duke of Gloucester, who strenuously opposed both; but the king, without regarding him, employed all the summer of this year in making most magnificent preparations for going to France, and wedding his queen in person: at the same time it

was proposed that he should have an interview with the French king; but Richard's chief design in crossing the sea, was to concert a plan with Charles for overcoming all opposition in England, and particularly in humbling the pride of the duke of Gloucester, who had upbraided the king in the most indecent terms, upon the truce and marriage. In the mean time, however, Richard fell upon a very politic measure for keeping this turbulent subject quiet; for, knowing his avarice to be equal to his ambition, he promised to make him a present of fifty thousand nobles upon his return to England, and to give his son the earldom of Rochester with two thousand pounds a year. This argument melted down all the duke's rigour; his patriotism, like that of more modern date, was not proof against the golden charm; in a word, he not only gave up his opposition, but even accompanied the king over to the continent, and assisted very cordially at the ceremony, which was performed on the first of November, in the church of St. Nicholas, at Calais, the king of France delivering the young princess to Richard with his own hands. Previous to the marriage, the two kings had a splendid interview between Ardres and Calais, under a magnificent pavilion, each attended by four hundred of their guards, where every thing passed to the mutual satisfaction of both parties.

Richard, highly pleased with his new alliance, which he flattered himself would enable him to crush all opposition to his government in England, set sail with his infant bride, five days after their marriage, and arrived safely in England; and, on the seventh of January, 1397, her coronation was celebrated at Westminster, with great pomp and splendor.

On Monday, the twenty-second of that month, a parliament met at Westminster, in which a bill was brought in by one Haxey, for limiting the expences of the king's household (which Richard had, indeed, carried to a monstrous excess, being naturally vain and fond of parade), and to limit the qualifications of persons residing at court: this was particularly levelled at the number of loose ladies, who, by ministering on all occasions to the idle pleasures of the king and his favourites, had wormed themselves in all state-secrets, and even presumed to direct the distribution of royal bounties; by this time, however, Richard had secured such a party in the parliament that he was no longer under apprehension of any of those spirited remonstrances which had lately given a check to his natural disposition for arbitrary power; and therefore he no sooner heard of the bill in question, than he sent for sir John Bussy, the speaker of the commons, and peremptorily commanded him to make known the name of the person who had the insolence to bring in a bill so offensive to majesty and royal prerogative; Bussy, with an unpardonable meanness, named Haxey, upon which orders were immediately issued for taking him into custody; but he being a clergyman, and consequently out of the reach of lay authority, was delivered into the hands of the archbishop of Canterbury, with orders to see him forthcoming. The commons not only tamely put up with this flagrant breach of their rights and privileges, but also reversed, in this session, all that had been done by former parliaments, in opposition to the power of the

the crown; and passed an act for pardoning and recalling the judges Belknap, Holt, and Burgh, who had been banished to Ireland.

Richard now, fearless of controul, proceeded to rid himself of the greatest bar in his way in the pursuit of despotic power, his uncle of Gloucester. It may be remembered, that while the king's marriage and the late truce were in negociation, Richard had found it necessary to take off that nobleman's opposition by large promises, which the other had as greedily swallowed; but finding himself, on his nephew's return to England, disappointed in the performance of every article, and that he had been his dupe, he resolved to counteract him in all his measures. By this time Gloucester had gained an additional ascendant at the council-board, owing in a great measure to the imprudence of his brother, the duke of Lancaster, who had lately married a foreigner of low blood, and one who had been his kept mistress*. This step gave a general disgust that the first princess in England should be no better recommended by birth and virtue. Gloucester did not fail to turn this false step of his brother to his own advantage, by rendering himself more popular: at the same time he laid hold of the rendition of Brest, which had been lately made in consequence of one of the marriage-articles between Richard and the princess of France, to represent the king in the most unfavourable light, and even to insinuate that he had an intention of giving up Calais also, a conquest which the English cherished with the greatest fondness; he likewise lost no opportunity of exposing Richard on all public occasions; and, among other instances, he got together a parcel of half starved ill-looking fellows, who one day presented themselves in the royal presence in Westminster-hall; and the king demanding who they were, Gloucester answered, "That they were the soldiers of the garrison of Brest, who were now come to England, and must either steal or starve†." These, and several the like indecent reflections, as also the endeavours the duke used to set the citizens of London against the court, by representing the taxes as unnecessarily burthensome (though in fact very reasonable), and calculated only to serve the king's extravagancies, and that of his minions, had created such an aversion in Richard towards him, that Gloucester found he wanted only a proper opportunity to ruin him: this induced the latter to set about forming a party that might counterbalance the power of his enemies; and being joined by the earls of Arundel and Warwick, who had been largely embarked in the former opposition, as also by the archbishop of Canterbury, a busy turbulent prelate, disgusted by not having had all his exorbitant demands satisfied, they held several councils at Arundel castle, where many undutiful propositions were made, and such as, though not perhaps amounting to overt-acts of treason, were sufficient

to put any court upon its guard‡. The king was not long before he came to the knowledge of these proceedings, and there wanted not those about him who took every opportunity of magnifying the duke's misconduct, and increasing the disgust their sovereign had conceived against him; in a word, it was secretly resolved between Richard and his wicked counsellors, to take off this dangerous subject at any rate. He was, however, too powerful to be proceeded against by the common and open forms of justice; nothing, therefore, remained but the infamous means of murder, and Richard suffered his revenge to get so far the better of the ties of kindred, and what he owed to his own honour, as to become a principal actor in the nefarious scene, which was performed in the following manner.

As Richard had always worn the appearance of familiarity with his uncle Gloucester, he made a pretence of hunting in Essex, and in the evening called upon the duke at Pleshey||, as by accident, where he was received with the most cordial hospitality, both by his uncle and the duchess. While they were at supper, he told the duke he should want his presence at a council, which was to be held on the morrow, at London, on some very important affairs, and desired he would accompany him thither: the duke, not suspecting any evil towards him, from the open countenance and behaviour of the king, complied with his desire, and set out with the king on horseback, attended by four or five domesticks only; as they approached Epping Forest, Richard rode off at a distance, and at the same time the earl of Nottingham (earl-marshal), who lay in ambush with a great number of horsemen, seized upon the duke, who in vain cried out to the king for help, and, conveying him to the river, put him on board a ship, which weighed anchor immediately (the wind being fair) and arrived at Calais the next day. The earls of Arundel and Warwick, and the lord Cobham, Gloucester's associates, were arrested next day, in London, whither they had also been decoyed, under pretence of assisting at a council, and committed to the Tower.

The seizing of the duke of Gloucester and these two great lords occasioned much murmuring in the city; but no one dared to stir, having no leader to direct their measures; and Richard, who had contrived every thing with great forecast, now issued a proclamation, in which he declared that the lords were arrested upon fresh matter of treason against them, and that they should be reserved for the justice of a great council of their peers, which was to meet on the first of August following, at Nottingham. This somewhat stifled the flames of popular discontent, which were by this incident very near blown into downright rebellion.

The appearance at Nottingham was very solemn, and the bill of appeal for treason was brought in

* She was a native of Hainault in Flanders, and had been bred up, in her youth, in the duke of Lancaster's house, and waited on his first wife, Blanche; from whence she married one Swinford: her maiden-name was Catherine Ruet. Stowe's Annals, p. 312. The duke after his marriage with her, obtained the naturalization of four children he had by her, viz. John, Thomas, Henry, and Joanna, who took the name of Beaufort, from a castle in France so called, which came to him by his first wife, Blanche of Artois.

† Froissart, lib. iv. cap. 32.

‡ Among other things they declared that Richard was not fit to govern, and that he ought to be immured for life, and

pass his days in that indolence which had disgraced his administration: nay, they went so far as to resolve to go to the king in a body, and renounce their allegiance. Leland's Collect. vol. i. p. 693, &c.

|| The castle of Pleshey, lying between Dunmow and Chelmsford, in Essex, was the seat of the high-constables of England even before the Conquest (as it is called.) Thomas of Woodstock, duke of Gloucester, became possessed of it by marrying Eleanor, eldest daughter and co-heiress of Humphrey de Bohun, earl of Hereford and Essex. Of this famous and ancient castle, nothing now remains but the mount. Tindal on Rapin.

against the duke of Gloucester and the two earls of Arundel and Warwick, by the earls of Rutland, Kent, Huntingdon, Nottingham, Somerset*, Salisbury, the lord Spenfer, and William Scroop, chamberlain of the household: and, after reading and considering the bill, the appealed lords had till the fourteenth of September allowed them for answering the impeachment in parliament.

In the mean time Richard, who had never meant that his uncle Gloucester should come to an open trial, dispatched sir William Rickhill, one of the justices of the Common Pleas, to take the duke's examination in the castle of Calais, where he was confined; but the whole of the duke's confession, who did, indeed, allow his having been guilty of some unguarded expressions, but still professed the utmost veneration for the king's person, and that he had laboured only at a change of measures; the whole of this confession, I say, not amounting to any degree of treason, Richard directed the earl of Nottingham, who was governor of Calais and its castle, to send such orders to his deputy, as that Gloucester might be secretly made away: the earl for a long time refused to be concerned in this bloody business; but Richard threatening him with the loss of liberty and life if he refused, he could no longer hold out, and directions were sent for putting the duke to death; which was accordingly perpetrated in the following manner.

The duke was carried out of the castle of Calais to an inn, by four ruffians, Hall, Lovetoft, Serle, and Francis, who were sworn upon the sacrament to secrecy. Lovetoft brought the duke into an inner chamber, where he told him it was the king's pleasure that he should die. The duke, who perhaps expected little less, answered without any emotion, "That if it was so, he must submit." The murderers then threw him on a pallet, where they smothered him between two feather-beds. They next stripped his body, and put it naked within the bed-cloths, giving out that the duke died of an apoplexy; and that, before he expired he had confessed himself guilty of treason against the king.

Thus fell Thomas of Woodstock, duke of Gloucester, the victim of his enemies treachery and his own imprudent conduct. With many great and good qualities, he joined an immeasurable thirst after popularity, in the pursuit of which he too often lost sight of that respect which should ever be preserved to majesty; and however well he might mean his country, the measures he took to serve it were such as no court, that had the least regard to its own honour or consequence, could over-look.

The dukes of Lancaster and York, on the first news of the cruel murder of their brother, hastened up to London with a strong body of forces, threatening to take severe vengeance on the authors of this execrable deed, not excepting the king himself. Richard, however, had taken all the necessary precautions against the storm, which he easily foresaw would be raised on this occasion. He had already secured a parliament at his devotion, by changing all the sheriffs in the kingdom that he thought would not be subservient to his designs, so that no members might be chosen but such as he should approve; he had likewise collected an army of

twenty thousand veterans about London, which was more than sufficient to defeat any attempt that the discontented party might be induced to make: nor did he content himself only with providing force to repel force; he had, moreover, recourse to the milder means of negotiation; and, as he knew that the duke of York was entirely guided by Lancaster, and that this latter was always open to flattery and ambition, he employed his favourite, the earl of Rutland, son to the duke of York, as a mediator between him and his uncles. The earl was extremely active in executing his commission; he represented to them, that, by an over-haste to revenge the death of the duke of Gloucester, they might embroil their country in all the horrors of civil war; that this unhappy event, which was now irretrievable, was sincerely lamented by Richard, who declared himself altogether innocent of it, and had authorized him to assure them, that, if they would lay aside their present purpose of disturbing the public tranquillity, he would not only join with them in making the strictest enquiry to bring to justice the perpetrators of this bloody action, but would be heartily reconciled to them, give them the precedence in his councils, and be wholly directed by them in his future management of public affairs. Caught with this specious bait, these two noblemen, to their eternal dishonour, listened to the proposal of Richard, dismissed their followers, and consented to a compromise with their nephew. This seemed to give a finishing blow to the hopes of the nation, who only wanted a leader, to make a vigorous stand, and overturn the whole iniquitous system adopted by the court, who now made no secret of its intention to triumph over all restraint, and make its will the sovereign law of the kingdom; for the parliament meeting on the seventh of September, at Westminster, the king ordered four thousand of his guards to be drawn round the hall where the assembly sat, to awe them into an implicit obedience to his dictates and those of his favourites.

But, indeed, there appeared little occasion for such a precaution, for the very first day of this session, the members of which this parliament was composed began to exhibit sufficient marks of its venality and corruption; thus much, however, it will be proper to observe, that these very measures which Richard took to insure himself success proved the principal causes of his destruction: since however passive the English people may be, for a time, under ministerial oppression, they never can long behold their liberties in the hands of men, whom they have not themselves freely chosen, without seeking to be delivered from so insupportable a yoke.

Bussy, the speaker of the house of commons, was a weak tool of the court, and, with sir William Baggot and sir Henry Green, had undertaken to do all its illegal business.

If the parliament of 1388 deserved to be called the Merciless, hardly any name was odious enough for this: by the most infamous prevarication, this assembly made no scruple to sacrifice to the passions of the king and his ministers, not only the lives of the most distinguished noblemen in the kingdom, but also the liberties and privileges of the people,

* John Beaufort, eldest son of the duke of Lancaster by his third wife, Catherine Swinford. He had been so created in the last parliament.

of which it had been made the guardian. The commission and statute, made in the tenth year of this reign, were repealed, as being extorted from the king by force, and prejudicial to his royal prerogative; and any attempts to procure the like commission for the future, were declared to be high-treason: the pardons granted to the duke of Gloucester, and the earls of Arundel and Warwick, in the parliament of the eleventh year of this king, were made void, on the same pretence of force against the king's will: and, to complete their work, the commons declared, that it was their intention, with the royal permission, to prosecute any person, or persons, as often as they should think proper during this session of parliament. This was, in fact, drawing the sword of universal proscription against all who dared oppose their measures.

The house of commons now proceeded to impeach Thomas Fitz Alan, archbishop of Canterbury, and brother to the earl of Arundel, for "having been aiding, abetting, and advising in making a commission, directed to Thomas, duke of Gloucester, Richard, earl of Arundel, and others, in the tenth year of the king's reign, which commission was in prejudice of the said king, his crown and dignity: he was likewise accused of having advised the duke of Gloucester and the earls of Arundel and Warwick, to assume the royal power and arrest the king's lieges, Simon Burley and James Berners, whom they had adjudged to death, contrary to the will of the lord the king*." The commons then petitioned, "that the king would be pleased to order the said archbishop to be put in safe custody:" and the king replied, "that the impeachment affecting a peer of the realm, he would advise with his council upon the subject†." The archbishop afterwards pleading guilty, he was condemned to perpetual exile; his character as a clergyman exempting him from death on this occasion.

Nor were the lords less complaisant than the commons, for, on the twenty-third day of September, they exhibited a charge against the duke of Gloucester, the earls of Arundel and Warwick, and Thomas Mortimer, "for that they, under colour of the commission of regency, and statute confirming the same, passed the tenth year of the present reign, had assumed to themselves the royal power, levied war against the king, marched with an armed force from Haringay Park to his palace at Westminster, and forced him, in the eleventh year of his reign, to call a parliament, to which they came traiterously in a warlike manner, and to pass an act of pardon to them and their adherents, prejudicial to the king's royalty and crown, and procured by surprize; as also, that they, the said duke of Gloucester, earls of Arundel and Warwick, and Thomas Mortimer, had traiterously assembled at Arundel castle, on Thursday after the feast of St. Nicholas, or sixth of December, and traiterously agreed to have gone with their forces to any part of the kingdom where they could find the king's

person, and there to have surrendered to him their homage-liege, and to have deposed him, which they would have done, had they not been hindered by Henry of Bolinbroke, earl of Derby, and Thomas Mowbray, earl of Nottingham: all which treasons, so imagined, continued, done, and perpetrated by the aforesaid duke, earls, and Thomas Mortimer, against the royal person, estate, and dignity, as above set forth, the lords appellants, or those who managed the charge against these noblemen, (viz. the earls of Rutland, Kent, Huntingdon, Somerset, Salisbury, and Nottingham, with the lords Spenser and Scroop) declared themselves ready to prove in such manner as the king and parliament should order‡."

These articles being read, the lord Neville, constable of the Tower, brought in the prisoners. The earl of Arundel, who was first brought to the bar, confined his whole defence to the general and particular pardon which had been granted him by the king: but that having been repealed in the present session, he was found guilty of high-treason, condemned to be hanged, and quartered, and all his estate, real and personal, confiscated to the king's use||. His sentence, however, was mitigated into simple decapitation, which he soon after suffered, with the greatest fortitude§. Very different was the behaviour of Warwick: he confessed all laid to his charge, and, in the most abject manner, pleaded for mercy; and the king granted him his life, but he was condemned to perpetual imprisonment in the Isle of Man. Sir Thomas Mortimer having escaped to Ireland, a proclamation was published in that kingdom, commanding him to appear within three months, and answer to the charge exhibited against him, otherwise he was declared a traitor, and all his estates forfeited. As to the duke of Gloucester, though dead, he was declared a traitor to his king and country, his estate forfeited, and his blood attainted: this sentence was grounded upon a pretended confession said to be made by him to sir William Rickhill, who had been sent over to Calais to examine him, but not signed by the duke himself; whereas, had he made any declaration, they would not have failed to have gotten it under his hand.

After these severe proscriptions, which reflected disgrace upon all those concerned therein, particularly the dukes of Lancaster and York, and the earls of Derby and Rutland, who acted so officiously against their nearest relations and former confederates, the commons interceded with the king in behalf of the lords and bishops who had been named in the commission passed in the tenth year of his reign, without procuring or acting in the execution thereof: these were the duke of Lancaster, the duke of York, the bishop of Winchester, and sir Richard le Scroop, who were now acknowledged by a statute enacted in full parliament, "to be loyal men, and exempted from all prosecution; as were also Henry of Bolinbroke, earl of Derby, and Thomas Mowbray, earl of Nottingham, who, though

* Cotton's Abridgment, p. 367.

† Rot. Parl. 21 Rich. II.

‡ Cotton's Abridgment. Rot. Parl.

|| Stat. at Large, 21 Rich. II.

§ It was inflicted on that same day, says Froissart; who also adds, that the king himself was so cruelly mean as to be present at his death: nay, that the earls of Nottingham and Kent, the first the son-in-law, the second the brother-in-law of Arundel, out of complaisance to the king, assisted at the melancholy spec-

tacle, with all the symptoms of unnatural pleasure. The unhappy earl is said to have taken notice of this, and, with a kind of prophetic spirit, foretold, that the day would come, when his case would be theirs, both in the example of the punishment, and the number of the spectators. Another historian adds, that the spectacle remained so deeply impressed upon the mind of Richard, that his sleep was often interrupted with dreams, representing to him the earl covered with blood, and upbraiding him with his injustice. Walsingham.

assisting at the treasonable conferences at Arundel castle, and otherwise in league with the condemned lords, were adjudged to merit the royal clemency, for having hindered their rebellious associates from seizing the person of the king, having renounced their society, and given intimation of their traitorous intent."

Richard then proceeded to gratify those who had sacrificed every tie of nature and honour to a blind and servile compliance with his will: accordingly, on Michaelmas-day he created Henry, earl of Derby, duke of Hereford; Edward Plantagenet, earl of Rutland, eldest son to the duke of York, was made duke of Albemarle, or Aumerle; Thomas de Holland, earl of Kent, received the title of duke of Surry; John de Holland, earl of Huntingdon, the king's half brother, was created duke of Exeter; Thomas Mowbray, earl of Nottingham and earl-marshal, duke of Norfolk; and John Beaufort, the eldest legitimated son of the duke of Lancaster, by his third marriage, who, in complaisance to that duke, had been lately created earl of Somerset, had now the additional and superior rank of marquis conferred on him by the title of marquis of Dorset*. Sir Thomas le d'Espenser, or Spenser, was created earl of Gloucester; Ralph lord Neville, earl of Westmoreland; Thomas Piercy, third son of the earl of Northumberland, earl of Worcester; and sir William le Scroop, earl of Wiltshire. The parliament was then adjourned to the twenty-seventh of January, 1398, then to be held at Shrewsbury; however, before the members withdrew from London, the lords spiritual and temporal, in presence of the king, took a solemn oath before the shrine of St. Edward, in Westminster abbey, to observe all the statutes, &c. made in this parliament, the form of which oath the reader will find in the note†.

The new session, which met, according to their adjournment, in the beginning of the year 1398, was merely a continuation of the proceedings begun at Westminster. The first step of this obsequious assembly was to repeal the sentences pronounced against Tresilian and the other judges, who had given their opinions to the king's queries at Nottingham‡; and these opinions, or answers, which were so evidently destructive of the privileges of the people, were now declared just and legal, and all the confiscations, forfeitures, and attainders which had passed on that account, were now reversed; as was also, on the application of sir Thomas le d'Espenser, the new-created earl of Gloucester, the sentence of banishment and disherison pronounced against the two Spensers, father and son, in the reign of king

Edward II. and, to complete the ruin of the constitution, this hireling parliament, by giving the sanction of law to several decisions of Clapton and Thirning, chief justices of the King's Bench and Common Pleas, and others of the time-serving judges, so multiplied the cases of high-treason, that it was hardly possible to avoid falling into that crime, unless by making the king's will and pleasure the sole rule of action: among others, however, were the four following capital articles, which, with very little difference, still subsist as treason by the present state of our laws, viz. 1. For any person whatsoever, to imagine or compass the king's death. 2. To contrive his deposition. 3. To ride armed, or make war against the king in his realm. 4. To disclaim or renounce the liege-homage due to the king. And the heirs of all persons convicted on any of these four articles, were to be forever deprived of the lands and possessions of their ancestors.

The frequent examples which had occurred in the remembrance of almost every member, and what they had heard from their forefathers, of the acts of former parliaments, however solemnly authenticated and enforced, being set aside and annulled by succeeding ones, and what they themselves were at this very time doing, made this assembly resolve to give a lasting sanction to all that had passed in this parliament, and the surest way they could devise was to revive in the most solemn manner the oath they had already taken: this was accordingly performed by all the members of the house of peers upon the archiepiscopal cross of Canterbury, the commons signifying their assent to the same by holding up their hands.

Nothing now remained to complete the infamous business this assembly had undertaken, but to lay the ax to the root of parliamentary power, and render that body a mere cypher in the system of government. Pursuant to this principle, and under colour of dispatching such business as, from the short duration of the session, could not be gone through by the house, the commons petitioned that his majesty would be pleased to appoint a committee of lords and commons, with whom the full power of parliament was to be lodged, for hearing and determining all matters then cognizable by parliament, during the recess of that assembly. The king, by the advice and consent of the lords, agreed to this petition: the committee which was appointed were as follow; John, duke of Lancaster; Edmund, duke of York; Edward, duke of Albemarle; Thomas, duke of Surry; John, duke of Exeter; John, marquis of Dorset; Roger, earl of Marche;

* He was first made marquis of Dorset; but this title was afterwards changed into marquis of Somerset, by a new charter of creation, bearing the same date with the former: nevertheless, though his first title was cancelled, he was always called marquis of Dorset. Dugdale.

† The oath taken by the clergy was in the following words: "You shall swear, that well and truly you shall hold, sustain, and maintain, without fraud and deceit, all the statutes, establishments, ordinances, or judgments, made and given in this parliament, without doing any thing contrary to either of them, or the dependencies on, or parcels of them; or that you will ever repeal, revoke, make void, reverse, or annul, or ever suffer them to be repealed, revoked, made void, reversed, or annulled, so long as you live; saving to the king his royalty, liberty, and the right of his crown."

After the clergy had done, the lords temporal, viz. seven dukes, eight earls, and twenty-one barons, also took another oath, in the following manner:

"You shall swear, that in the time to come, you shall never suffer any man living to do any thing contrary to the

statutes, establishments, ordinances, and judgments of this present parliament, nor to any dependencies on, or parcel of them; and if any person shall do so, and be duly convicted thereof, you shall use your utmost power and diligence, without fraud or deceit, to prosecute him before the king, and his heirs kings of England, and cause him to have execution as an high and false traitor to the king and kingdom: saving to the king his regality, or royalty, liberty, and right of his crown."

Then the king, accompanied by the lords spiritual and temporal, proceeded to the high-altar, where the prelates and ordinaries of the provinces of Canterbury and York pronounced the sentence of the great excommunication (for which see p. 372. of this history) against "all who should openly or privately, by deed or counsel, contravene or oppose the statutes and regulations which the parliament had enacted and sworn to maintain; saving the king's royalty and prerogative." Tyrrel, p. 377.

‡ See p. 638. of this history.

§ See p. 509. of this history.

John, earl of Salisbury; Henry, earl of Northumberland; Thomas, earl of Gloucester; Thomas, earl of Winchester; and William, earl of Wiltshire; or any six of them, together with John Bussey, Henry Green, John Ruffel, Henry Chelmswicke, Robert Tey, and John Golofre, knights, or any three of them.

On the same day the commons, by the assent of the lords spiritual and temporal, granted to the king the subsidy of wool, leather, and woolfells for his life; and one tenth and fifteenth, and half a tenth and half a fifteenth: a most exorbitant grant, and exceeding any thing that had been given at one time in the late reign. And now there being nothing farther for them to do, this parliament, after a session of only three days, was dissolved on the thirty-first of January, 1398, being distinguished by the writers of that age by the title of the Great Parliament. Soon after, the king, to give the more strength to their irregular proceedings, especially the latter part of them, wherein, by an unprecedented act, the whole power of the nation was devolved to the king, twelve peers, and six commoners, the king obtained the pope's bull for enforcing them, under pain of excommunication; as also the oaths above-related, taken by the assembly: and this was solemnly published at St. Paul's Cross, and other places of resort throughout the whole kingdom*.

During this session Richard had brought into Shrewsbury a numerous guard of the Cheshire militia, who had shewn themselves ready to serve him blindly in all his purposes and commands, by which they had gained so greatly upon his affection, that, to gratify them, he erected their county into a principality, and added to the rest of his titles that of prince of Chester.

Every thing now seemed to contribute to the support of the king in the enjoyment of the despotic authority he had assumed; but we shall find him like a hood-winked falcon soaring to an amazing height, only that he might run more swiftly to his ruin, and while he was taking every step that he thought most likely to rivet his newly acquired power, he neglected the greatest safe-guard of princes, the love of the people. The officers of the crown and the magistrates and governors of towns being all the creatures of his own creation, were, indeed, seemingly attached to his service; and those who could have been most capable of opposing his designs, had been got rid of by one way or another: nevertheless, the people were not for him; but, on the contrary, hated him as the destroyer of their privileges and freedom; and though they had not the courage to vent their resentments, they did not feel the less; besides, there were many among those whom he accounted his friends, who, out of weakness or prudence, concealed their resentments till a favourable opportunity to free themselves from that yoke which they had put upon their own neck and that of the nation in general: and an opportunity offered sooner than either Richard or themselves imagined. Inebriated with success, and surrounded by flatterers, who

taught him to believe that he was little less than omnipotent, the misguided king suffered himself to be entirely swayed by his passions, and disdaining to keep himself within those bounds which even common prudence seemed to dictate, he slipped no occasion of exercising that arbitrary power he looked upon as so firmly established. Towards the end of this year he gave a signal proof of that little regard he intended to shew for his subjects, on occasion of a quarrel which happened between two of the principal lords of his court.

Henry, duke of Hereford, eldest son of the duke of Lancaster, awed by the untimely fate of his uncle the duke of Gloucester, and the other lords whom the king had sacrificed to his revenge, had behaved with the most excessive caution towards the court, and seemed to make it the height of his ambition to keep in the king's favour, and clear of any cause of suspicion. Having accidentally fallen into conversation with the duke of Norfolk on the condition of the times, that nobleman had freely declared, that, notwithstanding the fair countenance the king had put on towards himself and others, he had great occasion to believe he secretly intended their undoing, and that no faith was to be put in a prince like Richard, who was a friend or foe only as his interest dictated; and concluded with advising Hereford to be upon his guard, as he himself intended. Henry, suspecting that this declaration of Norfolk was made only with a view to ensnare him, resolved to provide for his own security; and coming before the king in council, delivered a paper, containing the conversation between him and the duke of Norfolk†. Norfolk, being called to an account for this, protested his innocence, and treated the whole as an infamous fiction, invented purely for his destruction. Hereford maintained his accusation; but as there were no witnesses of the pretended conversation, and the truth or falshood thereof could be known only to the persons concerned, the dispute was ordered to be decided according to the laws of chivalry, and Coventry was the place, and the sixteenth of September the day, fixed for the duel, which was to be fought in the presence of the king himself.

On that day both dukes appeared ready to enter the lists; the trumpets sounded, and they were preparing to rush on to the combat, when the king, throwing down his warder, prevented their encountering; and proclamation being made for silence, it was declared to be the king's pleasure, that, in order to prevent debates or dissensions amongst the rest of his liege subjects (most of the great men of the kingdom having by this time ranged themselves on one side or the other), both parties should be banished, the duke of Hereford for ten years, and the duke of Norfolk for life‡: a sentence equally void of policy and justice, since only one could have been guilty; but it was in vain to dispute Richard's pleasure: Norfolk had very few friends of any consequence to turn matters in his favour; and the duke of Lancaster, who, it might be supposed, would have endeavoured to protect his son on this occasion, was now grown old and

* Rot. Parl. 21 Rich. II. Brady. Tyrrel, p. 979.

† Placit. Coron. in Parl. 21 Rich. II.

‡ Some particular circumstances attended this sentence, for it was ordained by authority of the king and council, that neither of the exiles, during their banishment, should keep company with the other, nor with the archbishop of Canterbury.

Froissart, lib. iv. cap. 28, 39. This same historian, with Polydore Virgil, says that the duke of Norfolk accused the duke of Hereford of having spoke ill of the king, but this is a gross mistake. See Act. Parl. 21 Rich. II. Collier is likewise guilty of this error.

infirm, and found himself unable to oppose the measures of a prince whom he had contributed to set above the laws. Both dukes were ordered to leave England by the twentieth of October, on pain of incurring the penalty of high-treason, and both obeyed.

Norfolk was overwhelmed with grief and despondence at the severity of the sentence which had been denounced against him: he retired into Germany, and from thence to Venice, where he soon after died of sorrow and chagrin.

The duke of Hereford was more resigned to his fate; he waited on the king to take his leave at departing for his exile, and his submissive and respectful behaviour so won upon Richard, that, unsolicited, he remitted him four years of the term assigned for his banishment. The duke then set out for Paris, where he was nobly received by the king of France, and found such favour in that court, that he was offered in marriage the only daughter of the duke of Berry; but this coming to Richard's ears, he sent over the earl of Salisbury to stop the prosecution of that treaty. But to return.

During these transactions, the Scots, those hereditary enemies of England, were every day offering fresh insults to her subjects, which were either passed by on the part of the English court, or compromised by truces foolishly concluded and faithlessly kept. In October this year a congress was held at Hawden Stank, on the borders, in which sir John Bussy, sir Henry Green, and Laurence Drew managed on the part of England, where, among other articles, the following one was agreed to, "That in regard many Scotsmen born had settled themselves on the marches of England, and had sworn fealty to the crown of England; and, in like manner, a great number of Englishmen born had settled themselves on the marches of Scotland, and had sworn fealty to the crown of Scotland; and that both of these were notoriously known to have excited several disturbances in these parts, to the breaking of the truces established between the two nations: it was ordained that Scotsmen born should remove to the south side of Tyne, and the English as far north as the town of Edinburgh*." Notwithstanding these regulations, nothing was done towards effecting a solid peace.

We have already observed, that Richard's success had wrought him up to a kind of phrenzy of insolence, and that he trampled on all law and prudence: his extravagancies, which were such as few courts could support, made him a perpetual beggar in the midst of the greatest affluence. Besides the large subsidies granted by the last parliament, he now extorted loans from his subjects under the name of a Benevolence; but this not sufficing his craving demands, and those of his minions, he had recourse to another method for filling his coffers, devised by his execrable tools, Bussy and Green: no less than sixteen counties were charged with treason, for having joined the duke of Gloucester and his party during the late disturbances; and, notwithstanding the general pardon which had been confirmed in parliament, it was resolved to punish them with military execution, unless they would buy their peace by signing blank bonds, in those days called Ragmen, to be filled up according to the king's pleasure. But, as if all this had not been enough, a kind of state-inquisition was established all over England, the sheriffs of counties being obliged to take an oath, by which they bound themselves to obey the king's command in all points, and to imprison all who should utter the least disrespectful speech against the government. During this lamentable condition of public affairs, died John, duke of Lancaster, on the third of February, 1399, in the fifty-ninth year of his age†, little lamented by the people, and still less by the king, who, in the first years of his reign, had greatly dreaded him, and now held him in as much contempt. This event, however, paved the way for a sudden revolution.

By the death of the duke of Lancaster his honours and estates, which were very considerable, fell to Henry of Bolinbroke, duke of Hereford, to whom, before his departure, the king had granted letters patent, empowering him, though in exile, to sue, by his attorney, for livery of any lands descending to him by mortgage. Notwithstanding which, immediately upon the decease of the duke his father, by an incredible strain of injustice, Richard not only revoked those letters, but also decreed that his banishment should be per-

* Act. Pub. vol. vii. Abercrombie's Hist. of Scotland.

† We find in Carte (who has taken it partly from the *Histoire Genealogique de la France*) the following curious account of the issue of John of Gaunt, or Ghent, duke of Lancaster, and their descendants and alliance with foreign courts and in their own country. He had by his first wife, Blanche, daughter and heiress of Henry duke of Lancaster, one son, named Henry, surnamed, from the place of his birth, Bolinbroke, who succeeded him in his estate and honours (and was afterwards king of England by the name of Henry IV.) and two daughters: the eldest of these, Philippa of Lancaster, was married to John I. king of Portugal; and from her are descended not only the race of princes which have ever since filled the throne of that realm, but several other noble families in that country, as well as in Spain. Among these are the marquises of Ferreira; the counts of Gelves, Odemira, Vimiero, Oropolas, Faro, Limos, Gelves y Castro: the dukes of Cadaval and Veraguas: but none seem to have had a greater veneration for her memory than George of Portugal, natural son of her great-grand-son John II. king of Portugal, who in honour of her assumed the name of Alencastro, the Portuguese term for Lancaster [the Al being a Moorish or Arabic word, denoting Excellence or Pre-eminence.] From him the dukes of Aviero and Abandes derive their descent; and the male line of these princes being lately extinct, Isabella de Portugal-Alencastro, sole heiress of her father Augustinho and her brother Fernandez, marrying don Bertrand de Carvajal, count of Engarada, transmitted their estates and honours to the present duke of Abrantes and Linares, her grand-son, together

with the name of Alencastro; which being common to all her descendants, is born by don Joseph de Carvajal d'Alencastro, her second son, grandee of Spain, whose distinguished merit and great abilities do honour to the post of secretary of state for foreign affairs, and chief minister to his catholic majesty, which he now [in the year 1750] fills. Elizabeth of Lancaster, second daughter of John of Ghent, by Blanche, was married first to sir John Holland, earl of Huntingdon and duke of Exeter; and, after his death, to sir John Cornwall lord Fanhope, and knight of the Garter, descended of the ancient barons of Burford, in Shropshire. By his second wife Constantia, daughter of don Pedro, king of Castile and Leon (and, on his death, lawful queen of those kingdoms) John had only one daughter named Catherine, who was married to Henry, son of John Fitz Henry, king of Castile, from whom the kings of Spain derive their title and descent. By his third wife, Catherine Swinford [relict of sir Thomas Swinford, knight] he had three sons and one daughter, all born before, but legitimated after, the marriage of their mother: the sons were, 1. John Beaufort, created marquis of Dorset and Somerset; but being degraded by parliament, and afterwards restored, petitioned that he might not be restored to the title of marquis, it being new and almost unknown in this kingdom: 2. Henry Beaufort, cardinal of St. Eusebius, and bishop of Winchester: 3. Thomas Beaufort, earl of Dorset, created afterwards duke of Exeter for life: the daughter was Joan Beaufort, married first to Robert, son of Robert Ferrers, lord Wemme; and, after his decease, to Ralph, the first earl of Westmoreland. Carte, Gen. Hist. Eng. vol. ii. p. 629.

petual, and confiscated all his paternal estate; nay, he stretched his iniquitous power so far, as to condemn to perpetual banishment one Boner, the duke's attorney, who had sued in his name for the livery of his lands.

It is not to be supposed that a nobleman of Hereford's rank and character would patiently put up with such a complication of injuries: he was of a bold and enterprising spirit; he had signalized his courage and prowess both at home and abroad; he was beloved by the people, and adored by the soldiers; he was always cool, sedate, and considerate, ever master of his temper, and not to be provoked to a rash action or unbecoming expression: he had likewise the great advantage of being related, either by consanguinity or affinity, to all the principal nobility of England*. This prince still continued at Paris, where, by his merit, he charmed the whole court of France; and his sufferings made him more than ever the idol of the English. Richard's late crying injustice, in seizing into his hands all the Lancaster estate, had opened every voice against his government: the citizens of London, in particular, were highly incensed at the injuries done to their favourite; and this, added to the desperate circumstances in which they found the nation involved by the mal-administration of the king, made them turn their eyes towards the duke of Hereford (whom we must hereafter know by the title of duke of Lancaster) as the only person who could retrieve the lost honour of the nation. With this view they secretly invited him to return to England, promising to assist him in the recovery of his lawful inheritance, at the hazard of their lives and fortunes. Lancaster, encouraged by this shew of affection in his countrymen, resolved to return home, and assert his undoubted right, and, perhaps, if fortune should favour his attempt, to raise his views even to the throne (for no man possessed a greater share of ambition, though with all the care imaginable to cover it from the eye of the world.) It was not long before Richard himself furnished him with a favourable opportunity of succeeding in both the one and the other of these designs.

Roger Mortimer, earl of Marche, lord-lieutenant of Ireland, had been slain the year before, in a rencounter with a small party of Irish†; and the king, to revenge the death of the presumptive heir to his crown, and reduce the rebels to a due subjection, resolved to go in person this year on an expedition into that country. Pursuant to this resolution he levied a numerous army, which furnished him with a fresh handle for extorting great sums of money from his subjects, which rendered him more odious than ever.

About Whitsuntide he proceeded to Bristol, in order to embark, and was attended by the dukes of Albemarle and Exeter, with several other noblemen, including Henry, son to the duke of Lancaster (and afterwards the famous Henry V.) and the eldest son of the late duke of Gloucester, as hostages for the peaceable behaviour of their relations during his absence: a prudent, but fruitless precaution! The Piercy family having lately retired from

court in some disgust, Richard thought it necessary to guard against any designs they might be hatching, by securing the person of the earl of Northumberland, the chief of that family, and accordingly sent a pursuivant at arms to him, commanding him to join him immediately with all the forces he could raise; but that nobleman excused himself from engaging in the expedition, on pretence of his being obliged to defend the Scottish marches. Richard, fiery and full of resentment on the least appearance of contradiction to his will, instantly construed this refusal, though made on the justest grounds, into downright treason, and, without farther deliberation, ordered the earl and all his adherents to be proclaimed traitors, and their estates to be confiscated. This imprudent step furnished Northumberland with a specious pretext for withdrawing his allegiance, and joining with the Lancaster party; though, from what followed, it is no unwarrantable presumption to suppose that the Piercy family had, before this time, entered into a dangerous correspondence with the duke of Lancaster.

However this might be, Lancaster was no sooner informed of the king's departure from England (who set sail about the middle of May), than he embarked at Vannes (a port in the Bay of Biscay), with a retinue of only eighty persons, amongst whom were the archbishop of Canterbury and the young earl of Arundel; and, after a quick and safe passage, landed at Ravenspur, in Yorkshire, on the twenty-first of July, where (so well had he taken his measures) he was immediately joined by the lords Willoughby, Ross, d'Arcy, and Beaumont, and several gentlemen of distinction, attended by a numerous body of vassals and adherents; and in a few days he found his party farther strengthened by the arrival of the earl of Northumberland, with his son the Hotspur Piercy (returned from his captivity in Scotland), and his brother, the earl of Westmoreland, with such a numerous train of followers, that Henry now saw himself at the head of an army of sixty thousand men; and, what gave a decisive advantage to his cause, not a foreigner amongst them.

Upon the first news of this commotion, the duke of York, who had been left guardian of the realm during the king's absence, assembled an army of forty thousand men, with whom he marched to St. Alban's; but, upon reviewing his army, the troops to a man declared that they would not draw a sword against Henry of Lancaster. York himself, indeed, appears either to have engaged in his nephew the duke of Lancaster's measures, or to have favoured his cause, for he had been heard publicly to declare, "that he thought him unjustly used, and would not oppose him if he imagined he came with no other view than the recovering of his rightful inheritance." He was certainly a man weak enough to be imposed upon by any plausible pretext; and was a very unfit person to have the charge of a kingdom, having neither vigour nor judgment, nor, indeed, any other talent to qualify him for government. He marched, however, with the army he had levied, as far as Oxford, where he paid the

* Carte tells us that the duke's constantly expressing this relation in his letters to many of these noblemen, gave the first occasion for the style of Cousin being used by our kings, which has ever since been given to the higher peers of this realm, though not so in fact; whereas it was never given before by the kings of

England to any person whatsoever, unless really related to them, and in this case they used it even to their illegitimate relations, and in their grants of annuities to such of them as stood in need of their bounty. Carte, Gen. Hist. of Eng. vol. ii. p. 630.

† Annals of Ireland, in Camden's Britannia.

troops liberally with the king's money, and then, breaking his staff of office, returned to London: the rest of the king's officers followed his example, and retired to places of safety, leaving the kingdom like a ship exposed to the winds and waves without a pilot or mariners.

Mean while the duke of Lancaster marched, with all expedition, to London, his army still increasing as he advanced: when he entered that city, which he did without opposition, the citizens received him as an angel sent for their deliverance; but Henry was too wise to put any great dependence upon the affections of a set of men who had constantly veered about with the gale of success, but, after having shewed himself, and returned them thanks, with that affability of which he was so great a master, he set out for Bristol, where the earl of Wiltshire, sir John Buffy, sir Henry Green, and sir William Bagot had taken refuge on the duke of York's disbanding his army; Lancaster, however, attacked the castle with such fury, that he carried it sword in hand, and made all the king's ministers prisoners, except sir William Bagot, who found means to escape, and, getting over to Ireland, carried Richard the first news of this wonderful revolution. As for the earl of Wiltshire, sir John Buffy, and sir Henry Green, the duke ordered their heads to be struck off, as necessary victims of popular hatred: an action which, though sanctified with the name of public justice, was as unwarrantable as any of those which Lancaster and his party were pretending to punish, and which justified, as far as imitation could justify, the most arbitrary acts of Richard's government. We will now return to that monarch in Ireland.

Richard landed, on the thirty-first of May, at Waterford, with an army consisting of two thousand lances and ten thousand archers, besides other forces, and immediately marched to Dublin. His arrival struck the rebels with great consternation; the most considerable of them submitted, but Richard having left the main body of his army to be brought over by the duke of Albemarle, met with some difficulty from one Mac More, who kept within the fastnesses of the country, and killed many of the English as they were clearing their way through the woods; however, Richard, in several encounters, gave marks of a valour which surpassed what might have been expected from a prince brought up in the enervating pleasures of an effeminate court.

But whilst his vanity was flattered with the prospect of reducing the Irish, he received advice of the conspiracy formed in England to deprive him of his crown. Upon the first news of this revolution, he ordered the sons of the dukes of Lancaster and Gloucester to be closely confined in Trim castle, and resolved to pass immediately over to England, and fight his enemies; but the duke of Albemarle, who some time before had joined him, advised, as a more prudent measure, that the earl of Salisbury might be sent over to raise an army in Cheshire and Wales, where the people were best affected to his interest. This advice was embraced by the king, who at the same time declared his intention of following himself with all his army out of Ireland. The earl of Salisbury had so much success in his expedition, that in a few days he assembled an army of forty thousand men, the Welsh and Cheshire people vying with each other in standing by their

king. Had Richard arrived with his forces at the time he had promised, he might at least have had the satisfaction of maintaining for a while his crown and dignity, against the attempts of his enemies; but the wind blowing right against him for near three weeks, prevented his sailing from Ireland. This delay gave the final blow to his interest: a rumour prevailed in the earl of Salisbury's army, that the king, with the greatest part of his fleet, had been lost in a storm, as he was attempting his passage; upon which the earl's troops disbanded of their own accord, and every one shifted for himself.

Richard landed a few days afterwards at Milford Haven, where he had the uncomfortable accounts of the duke of Lancaster's progress, the death of his counsellors, the surrender of his forts, the revolt of his cities, and the defection of his people; and, to complete the sum of his misfortunes, that his uncle of York, whom he had entrusted with the care of his kingdom, had lately joined the very person who was come to strip him of it. In this situation of affairs he knew not what course to take, all that was proposed appearing equally dangerous: in vain did his faithful Cheshiremen, who composed the bulk of his returned army, profess themselves ready to die in defence of his person and dignity, and urge him to advance into the heart of the country, to try what effect the presence of a king might have upon his people. Richard was disheartened; he was wavering and irresolute, not knowing whom to trust, or whom to fear: at length he took the inglorious measure of deserting his forces, and retiring to the castle of Conway, with the dukes of Exeter and Surry, the bishop of Carlisle, and a few other attendants. He had no sooner disappeared than the lord Thomas Piercy, earl of Worcester, master of the household, broke his staff of office before such of the king's domestics as had been left behind, and went to meet the duke of Lancaster, who by this time was advancing towards Chester, at the head of his army, now increased to upwards of one hundred thousand men.

The first thing the duke did, after he arrived at Chester, was to consult with his friends and counsellors the most effectual method to get the king's person into his power, being fearful lest he might escape into Ireland or France, and thereby frustrate the project he had formed of securing the crown to himself. It was, after mature deliberation, resolved that the earl of Northumberland should be employed to engage the unhappy king, by the most specious promises, to surrender himself into his hands. In the mean time Richard, who had lost all relish for royalty, and sought only to preserve his life and liberty, had resolved to throw himself upon the generosity of his enemy: with this view he sent his brother, the duke of Exeter, to treat with Lancaster about an accommodation; and the duke of Surry obtained leave to accompany him in his embassy, which, however, proved very unfortunate, for they were both detained prisoners at Chester; and Northumberland was immediately dispatched to draw the king, by stratagem, from the castle of Conway: this commission Northumberland executed with success, but by a method unworthy of a man of virtue or honour.

He took with him a party of one hundred lances and two hundred archers, and having placed them in ambush in a deep valley between two mountains, advanced, with seven persons only in his retinue,

to Conway, where, being admitted into the king's presence, he demanded, in the name of the duke of Lancaster, that a parliament should be immediately summoned, to reverse the sentence of banishment which had been pronounced against him, and that his lands and honours might be restored to him. These were points to which the king had no objection; and the earl of Salisbury, the bishop of Carlisle, and others, whom he consulted upon this subject, had no doubt as to accepting the terms, but only in relation to Northumberland's powers and sincerity in the negotiation: to remove their apprehensions, that nobleman offered to swear to the truth of all his proposals and assurances, and actually took an oath at the altar in the king's chapel to that effect. This sacred confirmation of the good faith on which he acted, gained the king's confidence entirely, and he was persuaded to accompany the earl with a train only of twenty-two persons, in order to take up his residence in Flint castle, where he might be nearer to the duke of Lancaster for the purposes of conferring with him, and compromising all differences. It is said by Froissart, Walsingham, and other of our historians, that, during his conversation with Northumberland, the king offered, if his life might be secured, with an honourable pension for himself, as also the lives of eight persons whom he should name, that he was ready to resign his crown, and be content to lead the residue of his life in a private manner. Northumberland hesitated not to pawn his honour and truth, that all that he requested should be complied with by the duke of Lancaster; and then they set out together for Flint castle.

When Richard was descending into the valley where the ambush was laid, perceiving a number of armed men with the banners of Piercy, he could not help expressing to Salisbury and Carlisle his apprehensions of being betrayed; and, turning to Northumberland, told him, "if he thought he had deceived him, he would instantly return to Conway, and spill the last drop in defence of his crown and dignity." "That, by St. George, you shall not do this month (said the earl), for you must with me to the duke of Lancaster*," and immediately seized his bridle: the king having scarce time to tell the faithless earl, "that the God he had sworn upon that morning, would punish him for this treachery at the day of judgment," when he found himself surrounded by Piercy's armed troops, by whom he was conducted to the castle of Flint, and there secured, while Northumberland went to give an account of his successful treachery to the duke of Lancaster.

Next day the duke marched his army from Chester to Flint (about eight miles distant), and sent an herald to acquaint Richard that he was come to confer with him: the unhappy monarch advanced as far as the court-yard of the castle to meet him, and, with a cheerful countenance, saluted him with these words, "Cousin of Lancaster, you are welcome." Then the duke, bowing three times to the ground, replied, "My lord the king, I am come somewhat sooner than you appointed me, because your people say you have, for these twenty-one years past, governed with great rigour and imprudence, so that they are not at all satisfied; but, if it please God, I will help you to govern them better for the fu-

ture." To this declaration the king made no other answer, but "Fair cousin, since it pleases you, it pleases me also."

Lancaster, having thus got the king in his power, lost no time in conveying his royal captive to London; but, in the first place, he dismissed the greatest part of his army, for which he had no longer occasion, reserving only about fifteen thousand men to guard the king and himself upon their march. When Richard came to Lichfield, he attempted to make his escape, but being discovered, was put under close confinement, ten or twelve armed men watching every night in his chamber. The citizens of London, to their eternal infamy, sent their recorder, with a number of knights and esquires, to meet the duke of Lancaster at St. Alban's, who, after many fulsome time-serving compliments, had the audacious wickedness to desire, in the name of the citizens, that the duke would behead the king and all those who had been taken in his service: but Lancaster was too politic to close with such a proposal, and even appeared displeased with the Londoners for so cruel and unjust a request, saying, "that God forbid he should lift his hand against the Lord's anointed; on the contrary, he was resolved to see the strictest justice done between the king and his people by a free parliament."

On Wednesday, the first of September, the duke of Lancaster arrived in London, leading his sovereign in triumph: the brutal mob of that city insulted his misery, unchecked and unpunished, and heaped curses on his head as he passed; while every throat was rent with incessant acclamations of "Long live Henry, the noble duke of Lancaster, our worthy friend and deliverer!" Richard lay for that night in his palace of Westminster, and the next day was committed to the Tower; and the duke took up his lodgings in the house of the Knights of St. John, at Clerkenwell. Writs were now issued, in the king's name, for the meeting of the parliament on the last day of this month, September.

In the mean time, Henry of Lancaster was not a little uneasy how best to dispose of Richard: for this purpose he held several councils with the heads of his party; at length, after many debates upon so nice a point, it was the duke of York's opinion, that Richard should be brought to make a voluntary resignation of his power, and that the parliament should, at the same time, declare him to be unworthy to reign. This opinion was universally embraced, as doing the least violence to the constitution: add to this, such a proceeding had already received some countenance from the deposition of his great-grand-father, Edward II. But, as Mr. Rapin very justly observes, "this expedient, which was then thought proper to restore the peace of the kingdom, proved the real source of the calamities which afterwards afflicted the nation, when these violent proceedings seemed to be entirely forgotten. The descendants of the duke of York, who proposed this opinion, found it their interest to destroy the foundation on which it was built, and maintain that the parliament had exceeded its power in transmitting the crown to the house of Lancaster."

Pursuant to the resolution which the duke of Lancaster and his friends had taken, he repaired to the Tower the day before the opening of the parlia-

* Vita Rich. II.

ment (the twenty-ninth of September), attended by a great number of lords, when, after some conversation, in the course of which Richard seemed a good deal refractory to the proposal made him of a resignation, the dukes of York and Albemarle interposing in order to prevail with Richard to consent to what he could no longer avoid, the king, in the bitterness of his affliction, bid them "hold their tongues, for had it not been for their remissness in his cause, he had never been reduced to his present distress." Albemarle, unable to support this reflection, so far forgot himself as to tell the king plainly "he lied." To this insult so unpardonable from Albemarle (that very Rutland he had so much loved and cherished) Richard only replied, "that he was a king, and the other an unworthy wretch beneath his notice." Lancaster ordering Albemarle to withdraw, nothing farther passed on the occasion. After much debate, Richard, finding himself abandoned by all his friends, sensible of his utter incapacity to resist the torrent of popular hatred, or, perhaps, desirous to gain time to save his life, and get assistance from France, determined to embrace the party proposed to him, and to do it with the best grace his present circumstances would admit. Accordingly, in the presence of all there, he delivered up the crown and sceptre, with the other ensigns of royalty; and then, taking his signet-ring from his finger, presented it to the duke as a testimony of his good-will; at the same time he desired the prelates of York and Hereford, whom he appointed to notify his cession of the crown to the parliament, to acquaint them from him, that he wished his cousin, the duke of Lancaster might be chosen his successor.

The parliament meeting the next day (September 30), the archbishop of York and the bishop of Hereford declared the king's resignation to the house, and at the same time his desire that Lancaster might succeed to the crown. But as the resignation alone (which as yet was only verbal) did not seem sufficient for the intended purpose of advancing Lancaster to the throne, it was thought proper to depose the unhappy king in form, in order to take away all discontent and cavil among the people; and the two houses accordingly ordered articles of misgovernment against Richard to be drawn up, in order to his deposition. These articles were thirty four in number, and contained in substance as follows.

I. That he had, with the most unbounded prodigality and profusion, squandered away the crown revenues, and entrusted the management of public affairs to a set of wicked and worthless ministers, who loaded the people with intolerable taxes in order to fill their own pockets.

II. That he had unjustly accused and punished as traitors, the commissioners appointed by parliament to redress the grievances of the nation.

III. That he had forced the judges, by fear of death, to give their assent to several illegal opinions, with a view to condemn the earls of Arundel and Warwick, and other persons of distinction.

IV. That his uncle the duke of Gloucester was basely and cruelly murdered by his private direction.

V. That he had raised forces to make war upon these three noblemen, and encouraged his soldiers in the commission of all manner of outrages.

VI. That, notwithstanding his proclamation, importing, that these three noblemen were ap-

prehended for slight offences, he had found means to have them condemned upon a charge of high-treason.

VII. That he had exacted exorbitant fines from several counties, as an atonement for crimes which had been pardoned in the general amnesty.

VIII. That he had refused to communicate the public affairs to the commissioners appointed in parliament to take care of the administration.

IX. That he had discharged his subjects, on pain of death, to intercede in the behalf of the duke of Hereford.

X. That though his crown was entirely independent on any earthly sovereign, he had obtained bulls from the court of Rome, to corroborate acts of parliament made to confirm his arbitrary proceedings.

XI. That he had banished the duke of Hereford contrary to all law and justice, and without form of trial or cause assigned.

XII. That though he had granted letters-patent, empowering the said duke to sue by his attorneys for livery of any inheritance that might fall to him during his absence, he had, nevertheless, revoked those letters, and, contrary to the laws of the land and the dictates of common justice, seized the estate of the late duke of Lancaster, and appropriated it to his own use.

XIII. That he had dismissed several sheriffs from their offices, and placed others in their room by his own authority, in open violation of the laws of the realm.

XIV. That he had borrowed, or rather extorted under pretence of borrowing, great sums of money, which were never repaid.

XV. That he had imposed taxes upon his subjects by his sole power and authority.

XVI. That he had often said the laws of the land were in his breast, and might be changed and altered according to his pleasure.

XVII. That, agreeable to that arbitrary maxim, he had put several persons to death, stripped others of their fortunes, and reduced an immense number to a state of absolute beggary.

XVIII. That he had extorted an act of parliament, ordaining that no statute could tend to the prejudice of his prerogative; and by virtue of this ordinance, explained acts of parliament according to his own pleasure, and contrary to the designs of the legislature.

XIX. That he had allowed sheriffs to continue longer than a year in office, contrary to the law and custom of the kingdom.

XX. That by his own authority, he had annulled the election of members of parliament, and appointed others in their places.

XXI. That he had exacted uncommon oaths from the sheriffs; and commanded them to imprison all persons who should complain of the management of public affairs, until the king's pleasure should be known.

XXII. That he had obliged the inhabitants of sixteen counties to own themselves guilty of treason, and afterwards to purchase their pardon with large sums of money.

XXIII. That he had extorted money, waggons, horses, and provisions, from several abbots and priors, in open violation of ecclesiastical liberty.

XXIV. That he had hindered the lords in council from speaking their sentiments on the state of

the kingdom, by threatening them with the severest vengeance.

XXV. That he carried the jewels of the crown and the archives of the kingdom into Ireland.

XXVI. That in the treaties with foreign princes, as well as in the engagements with his own subjects, he was guilty of such gross deceit and prevarication, that no person could depend upon his word or promise.

XXVII. That he had frequently said, the lives and fortunes of his subjects were entirely at his disposal.

XXVIII. That he had often violated the Magna Charta by using military instead of common law: and that, on pretence of duel or single combat, he had permitted strong active young persons to challenge those who were old and infirm; and in case they declined the unequal trial, decided the causes in favour of the challengers.

XXIX. That he had imposed upon many of his subjects, oaths, couched in general terms, which he afterwards interpreted to their ruin and destruction.

XXX. That he had granted under the privy-seals prohibitions, to which the chancellor refused to put the great seal, because they were inconsistent with the laws of the land: and that he destroyed the freedom of parliament, by surrounding the house with armed men.

XXXI. That he had unjustly and arbitrarily condemned to perpetual banishment Thomas Fitz Alan, archbishop of Canterbury, primate of all England, his spiritual father, in the absence of that prelate, who was persuaded to absent himself by the king's treacherous council and contrivances.

XXXII. That, by a clause in his will, he had bequeathed his gold to his successor, on condition of his approving, ratifying, and confirming the laws, statutes, ordinances, and judgments, which were erroneous, unjust, and repugnant to all law and reason; and by this means endeavoured to destroy the constitution of the country.

XXXIII. That though he had of his own accord solemnly sworn upon the sacrament, in the chapel of his manor at Langley, that he would pardon the duke of Gloucester for all the crimes he was supposed to have committed against the king's person or government; yet afterwards, notwithstanding that solemn oath and obligation, he caused the duke for those very crimes to be basely and villainously murdered, adding the guilt of perjury to murder.

XXXIV. That he had earnestly desired the archbishop of Canterbury to forbear answering the articles of his impeachment, and persuaded him to remain quiet at his own house, in full assurance that he should receive no loss or prejudice in his absence; notwithstanding which assurance, the archbishop was banished and his estate confiscated, contrary to all law and equity. That the king afterwards amused the archbishop with false and deceitful speeches, imputing the blame of his being banished to other persons, until he had found means to prevail upon the said prelate to entrust him with the jewels belonging to his chapel, as a sacred deposit, which he detained for his own use, and distributed among his friends and favourites: and that he promised the archbishop's sentence should be annulled,

and swore, upon the cross of St. Thomas the martyr, that he should not lose the archbishopric; notwithstanding which engagements, he expelled the archbishop from the kingdom, and wrote to the pope, desiring his holiness to translate him to some mean diocese in a foreign country.

The attentive reader will easily perceive that many of these articles were strained, and some of them false; and that there runs through the whole an affectation of representing this prince as guilty of perjury, by wresting every act of his government in such a manner that it might seem to be a deviation from the oath he had taken at his coronation; and besides that none of these articles were fully or legally proved: the whole proceeds upon this false foundation, that the commission granted by the king in the tenth year of his reign (though certainly extorted), and the proceedings of the parliament in the following year, were right; and yet every thing done in that of his twenty-first year was declared wrong, though manifestly grounded on the precedents set by the former. At the same time candour obliges us to confess, that, admitting the whole of the charge to be strictly true, yet, by a due execution of the laws then in being, every thing might have been set to rights, and this misguided prince still have retained his dignity, without the power of doing any great evil in future; whereas these violent and revengeful proceedings, by setting aside the legal succession, opened the door to an infinite train of disorders and calamities, which not long after deluged all England in the blood of her natives: but we need not observe how very seldom successful ambition is found to listen to the voice of prudence or moderation.

These articles however, such as we have given them, being read in parliament, were with one voice acknowledged to be well grounded and publicly known, and pronounced sufficient causes for deposing Richard from the throne; yet, as the principles of the constitution, as laid down in the Great Charter, would not suffer the parliament to proceed to absolute deposition of its own pure power, it was necessary that Richard should formally sign and deliver, as his voluntary act and deed, the resignation of his royal estate, which he had hitherto only verbally made. Accordingly a deputation was the next day sent to Richard in the Tower, consisting of the following persons, viz. the lord Richard le Scroop, archbishop of York; John, bishop of Hereford; Henry, earl of Northumberland; Ralph, earl of Westmoreland; the lord Hugh le Burnel; Thomas, lord de Berkeley, the prior of Canterbury; the abbot of Westminster; William Thirning, knight, and John Markam, justices; Thomas Howe and John Burbache, doctors of law, Thomas de Erpyngham and Thomas Grey, knights; William de Horyby and Dionysius Lapham, public notaries*. These had in charge to procure Richard's voluntary agreement, signified under his sign manual, to the instrument of resignation which had been previously drawn up, and which they carried with them. When the deputies presented this instrument to the king, he declined signing it till he had spoken with his cousin Henry; who coming to him in the afternoon, together with the earl of Northumberland, after some conversation, in which the latter put him in mind of the promise

* Rot. Parl. 1 Hen. IV. n. 53, & seq.

he had made him at Conway castle, in regard to resigning the crown, Richard, with great apparent cheerfulness, called for the instrument of his resignation, which he read over distinctly and solemnly, and then, signing it, bound himself by an oath never to retract the same. This instrument was conceived in the following terms :

“ In the name of God, amen. I Richard, by the grace of God, king of England and France, and lord of Ireland, do absolve the archbishops, bishops, and other prelates whatsoever, of churches secular or regular, of what dignity, or degree, state, or condition they are; dukes, marquisses, earls, barons, vassals, vassors; and my liege men whatsoever, ecclesiastic or secular, by whatever name they are called, from the oath of fealty and homage, and all others to me made, and from all bond of allegiance, regality, and government, or command, by which they have been, or may be bound to me; and them their heirs, and successors for ever, from the same obligations, oaths, and other things whatsoever, I free, release, and quit, and make them free, absolved, and quit, as to my person, according to the whole effect of the law, which may follow from the premisses, or any of them; and I do purely, free of my own accord, simply and absolutely, in the best manner, way, and form, that I can by this writing, renounce, wholly resign, and by word and deed, put from me, and recede for ever from all royal dignity and majesty, the crown and lordship, and the power of the said kingdom and lordship, and other my dominions and possessions, which may any way belong to me, and to all right, colour of right, and title, possession, and dominion, that I ever had, have, or may have, in the same, or any of them; also the government and administration of the said kingdoms and lordship, and all mere and mixt empire in the same; and to all honour and royalty therein, saving to my successors kings of England, in the kingdoms, dominions, and premisses, for ever their competent rights. And I do confess, acknowledge, repute, and truly of certain knowledge, judge myself to be insufficient for the government of the said kingdoms and dominions, and for my notorious demerits not unworthily deposed. And I swear by these holy gospels of God, by me corporally touched, that I never will contravene this resignation, renunciation, dismissal, and cession, or will any way oppose them in word or deed, by myself or others, nor will suffer them to be opposed or contravened, as much as in me is, publicly or privately, but the same renunciation, resignation, dismissal, and cession, will for ever hold firm, and will firmly hold and observe them, in the whole and every part, as God and his gospels help me.”

Then follow these words in Latin, “ Ego, Richardus rex antedictus, propria manu hæc subscribo,” i. e. “ I, the before-named king Richard, do subscribe this with my own hand *.”

The king's resignation thus perfected, was carried back to the parliament, where, being read, both in Latin and English, was approved and accepted by unanimous consent, and the house proceeded to appoint commissioners to pronounce the sentence of deposition (drawn up by a committee, and approved by the whole house) to the king in the Tower. The persons nominated for this purpose

were the bishop of St. Asaph, the prior of Glastonbury, the earl of Gloucester, the lord Berkeley, sir Thomas Erpyngham, sir Thomas Grey, and sir William Thirning, chief-justice; who being admitted to his presence, the bishop of St. Asaph read to him his deposition, which was drawn up in writing to the following effect :

“ In the name of God, amen. We, John, bishop of St. Asaph, John, abbot of Glastonbury, Thomas earl of Gloucester, Thomas lord Berkeley, Thomas de Erpyngham, and Thomas Grey, knights, and William Thirning, justiciary, by the spiritual and temporal peers, and great men of the kingdom of England, and by the communities of the same, representing the states thereof, being specially deputed commissioners for the things underwritten, duly considering the many perjuries, cruelty, and many other crimes committed by king Richard, in the time of his government, and publicly exhibited and recited before the states, which were so public, notorious, manifest, and famous, as they could no way be denied; and also of his confession, acknowledging, and truly of his own certain knowledge, judging himself to have been altogether insufficient for the government of the kingdoms and lordship aforesaid; and that for his notorious demerits he was worthy to be deposed; which thing by his own will and command were published before the states. Having had diligent deliberation upon these things, for the greater caution to the government of the kingdoms, and dominions aforesaid, the rights and appurtenances of the same, in the name and authority to us committed, do pronounce, decree, and declare, that very Richard to be deposed deservedly from all royal dignity and honour, and for the like caution, we depose him by our definitive sentence in this writing, expressly inhibiting all and singular archbishops, bishops, and prelates, dukes, marquisses, earls, barons, knights, vassals, and vassors, and all other men and subjects of the said kingdoms and dominion, or places belonging to them, for the future to obey the said Richard as king.”

At the same time other commissioners were appointed to go and resign to Richard the homage and fealty that had been made to him, in the name of the several estates of the realm: to all this melancholy ceremony Richard made no other answer than “ that he had never governed otherwise than with the advice of his council.”

The commissioners who had drawn up and pronounced the sentence of deposition against Richard, as also those who had been sent by the parliament to renounce the fealty of the people of England to him, having performed their office, returned to give both houses an account thereof; and the throne was, in full parliament, declared vacant: whereupon Henry of Lancaster, rising from his seat, calling upon the name of Christ, and crossing himself on the forehead and breast, claimed the crown in the following speech, which, after the example of other historians, I shall give in the very words that he uttered, and which stand upon record.

“ In the name of the Fader, Sonne, and Holy Ghost, I Henry of Lancaster, challenge this rewme of Ynglonde and the croune, with all the membres and the appurtenances, als I that am descendit be

* Rot. Parl. 1 Hen. IV. n. 10.

ryght lyne of the blode, coming fro the gude lord king Henry therde, and throghe that right lyne that God of his grace hath sent me, with helpe of my kyn, and of my friendes to recover it: the which rewme was in poynt to be undone for default of governance, and undoying of the gude lawes."

As it was resolved to adjudge the crown to the duke, the parliament took care not to examine his claim too closely, but received it as incontestable*. Thus, without any regard to the just rights of Edmund, earl of Marche, son of Roger, who was slain in Ireland, after having been declared by Richard presumptive heir of his crown, the members gave their unanimous vote, that Henry, duke of Lancaster, should be their king. Then Arundel, archbishop of Canterbury, taking him by the right hand, led him to the royal throne, which he would not mount before he had kneeled on the steps, and in a most solemn manner prayed to God to prosper his cause. After this farce (which was admirably well calculated to gull the priest-ridden minds of that age), the two metropolitans assisted him in mounting the throne, which he did amidst the loud acclamations of the people, to whom the great door of the hall was on this occasion set open. Arundel next made a sermon to this assembly, from this text, "Behold, a man shall rule over my people†;" in which he drew an equivocal and mean parallel between Henry and the deposed king, representing the latter as a child, incapable of government, and the former as one, who, in the full vigour of his days, was able to sustain the mighty weight of royalty. The sermon being over, Henry, in a set speech, thanked the lords and commons for what they had done; and, to quiet the minds of the many who were alarmed at his pretence of a conquest, couched in the latter part of his harangue claiming the throne, he thought fit to declare that "he had no design, under that pretence of disinheriting any man of his estate, franchises, or other just rights, or of turning him out of what, by the laws and customs of the realm, he legally possessed:" but this was clogged with an exception of "all persons that had been against his enterprize, for the benefit (as he affected to call it) of the kingdom."

As on the throne's becoming vacant the power of all judges and officers throughout the kingdom ceased, and the parliament determined of course. That the administration of justice might not be delayed, Henry proceeded to name his principal officers and judges, who took the usual oaths; and proclamation was made, that the parliament should meet on the sixth of October, being the Monday following after the day of the transactions as above related; and Henry's coronation was fixed for Monday, the thirteenth of October. Then the new king retired to Whitehall, where a magnificent entertainment was provided for the nobility and others

who attended him thither. The next day an order was sent to the Tower, to remove the deposed king to the castle of Ledes, from whence he was in a short time sent to that of Pontefract, or Pomfret, in Yorkshire, the last stage of his mortal peregrination.

Thus ended the reign of Richard II.† a prince who, in the first beginning of his reign, had filled all his subjects with the most pleasing hopes of his future good government; but, by suffering himself afterwards to become corrupted by flattery, lost all their affection; and by aiming at a power greater than the constitution of the kingdom permitted, forfeited a crown which he might otherwise have worn with honour and happiness. Notwithstanding that Richard, in general, led a dissolute life, he was never known to be engaged in any private amour that produced illegitimate issue: this might, perhaps be owing to some natural defects, especially when we consider that he had no children by his first wife, Anne, daughter of Charles IV. emperor of Germany, who was an amiable princess, with whom he lived twelve years in the utmost conjugal harmony: as for his second wife, Isabella, eldest daughter of Charles VI. king of France, her nuptials with him were never actually consummated; for she was but just turned of ten years of age when he was traiterously murdered. We shall now conclude this reign with an account of the

REMARKABLE OCCURRENCES.

In the fifth year of his reign, when his first wife, queen Anne, came from Bohemia, she had no sooner set foot on shore, than such a tempest immediately arose as had not been seen in many years; several ships were dashed to pieces in the harbour, and the ship in which the queen came over, was shattered to pieces; which was the more observable, because his second wife brought a storm with her to the English coasts, in which the king's baggage was lost, and many ships of his fleet cast away. Sir J. H.

At Newcastle upon Tyne, as two ship-carpenters were squaring a piece of timber, wherever they hewed, blood issued forth in great abundance. Ib.

In the sixth year of his reign, on the twenty-first of May several churches were thrown down by an earthquake; and on the twenty-fourth of May, there was an earthquake, or, as Hollingshed calls it, a water-quake, whose motion was so violent that it made the ships in the harbours beat one against the other, whereby they were greatly damaged.

About the same time the use of cannon came in; and sir Hugh Calverly, governor of Calais, was the first that employed them in the English service.

In his tenth year, wine was so cheap that the best was sold for twenty shillings a tun; and that which was not so good, at thirteen shillings and four pence.

* It was not without reason that Henry affected to use obscure expressions, which left undetermined the foundation on which he built his pretended right; and had not his speech been upon unquestionable record, latter ages would have had difficulty in believing that a prince could have claimed under so shameless a title as that of being descended from Henry III. but his reason for chusing to derive his title from that monarch rather than from Edward III. who was his grand-father, was on account of a rumour that had been propagated, as if Edmund, earl of Lancaster, surnamed Crouch-back, was eldest son of Henry III. but, by reason of his deformity, Edward I. his younger brother, had been placed on the throne; according to this supposition, the duke would make the ignorant believe that he could ground his title upon his being son of Blanch of

Lancaster, grand daughter of Edmund Crouch-back, and heiress of that family. But as he was sensible this tradition, so false and frivolous, could not impose upon every one, he added certain expressions, insinuating that he built his right also upon the success of his arms: this is the explanation of the claim expressed in such obscure terms. Rapin. Guthrie.

† 1 Sam. ix. 17.

‡ And thus, says Mr. de Voltaire, in his Essay on General History, did this one century behold two kings of England, Edward II. and Richard II. the emperor Wenceslaus, and pope John XXIII. all four tried, condemned, and deposed in the most solemn manner, with all the formalities of justice. Smollett's Transl. of Voltaire, vol. ii. p. 307.

Engrav'd for
MORTIMER'S
History of ENGLAND.



S. Wale delin.

C. Grignon sc.

HENRY IV.

The same year, sir John Montacute, a great follower of Wickliff, ordered all the images to be taken out of his church at Shenley, in Buckinghamshire. Hollingshed.

In his twelfth year, while the king was at his manor of Sheen, in the month of July, there appeared on a sudden such innumerable swarms of gnats that they darkened the air: they skirmished and fought in parties; the slain fell down to the ground by heaps at a time, and, being swept together with brooms, were found to be many bushels. About a third part of the whole came off conquerors, and flew away.

In the following year a hurricane threw down many houses, destroyed cattle, and rooted up trees. This preceded a great mortality, especially among the youth; and that, a famine, for (says Hollingshed) wheat was sold for thirteen pence a bushel: though money was scarce at that time, yet one would think such a price for corn had never been the sign of a dearth in England.

On the ninth of July, in his fifteenth year, the sun appeared to be obscured by certain thick and

dreary clouds between that and the earth; its beams seemed of the colour of blood, and gave little or no light from noon till it set: these clouds rose daily for almost six weeks together. The north and east parts of England were, at the same time, sorely afflicted with a pestilence; in a few weeks there died eleven thousand men, women, and children, in the city of York. Hollingshed.

The next year wool was so cheap, that in some places it was sold for two-and-twenty pence the stone. The same year a dolphin was taken near London bridge, ten feet long: his coming so far up the river was looked upon as an ill omen of the storms that happened soon after.

In his eighteenth year, the Merciless Parliament being then sitting, an head was made, which spoke of itself, and said, "The hand shall be cut off; the head shall be lifted up aloft, the feet shall be lifted up aloft above the head." Which was done, as Hollingshed supposes, by necromancy; and as we would think now, by a trick. Some time after there happened a conjunction of the two great planets, Saturn and Jupiter.

HENRY IV. surnamed Of BOLINBROKE, first King of ENGLAND of the Line of LANCASTER. A. D. 1399.

THE new parliament meeting, according to appointment, on the sixth of October, the session was opened by a speech from the archbishop of Canterbury, the chief purport of which was to blacken the character of Richard and his reign. This, with some other preliminary formalities, were the only things that passed at the beginning of this session: the parliament was now adjourned to the fourteenth of the same month. This adjournment was necessary, in order to prepare for the coronation, which was to be on the thirteenth.

Henry employed this interval in filling some places that were either vacant, or in the possession of persons not devoted to his service: Henry Percy, earl of Northumberland, and Ralph Neville, earl of Westmoreland, had borne so distinguishing a part in the late revolution, that the king could not, without imputation of the blackest ingratitude, have passed them by, unrewarded; accordingly the former was made high-constable, and the dignity of earl-marshal was conferred on the latter. Northumberland was also gratified with a grant of the Isle of Man, which he was to hold by the office of carrying, at the king's coronation, the sword of Lancaster, which was the very identical weapon that Henry wore when he landed at Ravenspur, in Yorkshire, and which he now added to the other three swords usually carried at that solemnity. He then invested his second son, Thomas of Lancaster, with the office of high-steward, a place which it was necessary to fill before the coronation, because that officer determines the claims of those noblemen, &c. who perform particular services at that ceremony; and as Thomas was only in the eleventh year of his age, Thomas Percy, earl of Worcester, third son to the earl of Northumberland, was constituted his deputy.

Every necessary preparation for the crowning of Henry being completed, the same was performed

with great magnificence, at Westminster, on the thirteenth of October, 1399; the crown and all the coronation-jewels having fallen into the duke of Lancaster's hands on Richard's return from Ireland.

It has already been observed, that Henry affected a great shew of religion; therefore, to carry on the same superstitious mummary, in which he found his account, he on this occasion would needs be anointed with an holy oil, pretended to be sent from heaven, in a stone phial, enclosed in a case of gold in the form of an eagle, not unlike the phial, or ampulla, kept at Rheims, with which the kings of France used to be crowned, and recommended by a like legend to the veneration of a superstitious people; for it was pretended, that whilst Thomas Becket, archbishop of Canterbury, was at Poitiers, in France, during his exile from the English court, in the reign of Henry II. the Virgin Mary brought this phial, and the holy oil, from heaven, and presented it to the prelate, to be used for the coronation of future kings of England, with this prophecy, that the kings which should be anointed with this sacred oil, should become true champions of the church, and triumph over all her and their enemies, as well foreign as domestic: a prophecy, however, which we shall find, in many instances, unaccomplished.

On the very day of his coronation, Henry issued a proclamation, declaring that he ascended the throne by right of conquest, the resignation of Richard in his favour, and as next heir male to the late king: thus he excluded the very title of which he ought to have availed himself, the consent of the people; and, with a shameless impudence, trampled upon the rights of Edmund Mortimer, earl of Marche, who, yielding to the torrent of Lancaster's fortune, retired to a private life, in his castle of Wigmore, on the Welsh Marches.

The day after the coronation the parliament resumed its session: sir John Cheney was presented by the commons to the king as their speaker; and the two houses, now proceeding to business, granted Henry the subsidy on wool for three years, and the remainder of the tenth and fifteenth, which, having been granted to Richard some time before, was not however, to be levied till Michaelmas. The parliament of the eleventh year of the late reign was revived and confirmed, except the statute declaring those to be traitors, that attempted to annul or repeal the judgments therein given: that of the twenty-first, with all its circumstances, appendances, and ordinances, revoked and annulled, and all either censured or suffering by it, were restored in person or blood. The committee empowered to act after the dissolution of the last parliament was declared illegal; and the method of accusing persons by appeal in parliament set aside; and instead thereof it was provided, that none should be prosecuted hereafter, but according to due form of law*. A general pardon for all treasons was passed in favour of all who had either come over with Henry, or had joined him afterwards, and had acted with him against king Richard: and the succession of the crown was settled upon young Henry, the king's eldest son, who was created prince of Wales, duke of Cornwall, Aquitaine, and Lancaster, and earl of Chester†.

The parliament next proceeded to enquire into the manner of the duke of Gloucester's death, when Bagot, one of Richard's infamous tools, who had escaped over to Ireland, but was afterwards taken on his return to England, and at this time a prisoner in the Tower, in hopes to save his own life accused the duke of Albemarle of having counselled Richard, whose intimate favourite he was, to put the duke of Gloucester to death; and that the duke of Norfolk, who had been generally suspected as the author of that nobleman's death, had no part therein. Upon this the house impeached the lords who had been the most forward in acting against the duke of Gloucester, and the other lords in the parliament of Shrewsbury. All the defence the impeached lords could make upon their trial, was the poor one of having been compelled by the late king to do what they had done; but this frivolous excuse not availing them, the king and the lords, after some debate, proceeded to give judgment against them as follows:

"That they, the said Edward, duke of Albemarle; Thomas, duke of Surry; John, duke of Exeter; John, marquis of Dorset; John, earl of Salisbury; and Thomas, earl of Gloucester, lords appellants against Thomas of Woodstock, duke of Gloucester, and other lords, should lose their titles of dukes, marquises, and earls, and all the worship thereto belonging; and that they should forfeit all their lands and goods, which they, or any of them, had given them at the death of the said duke of Gloucester, or at any other time since; and that if they, or any of them, should adhere to the person or quarrel of king Richard, lately deposed, that then the same should be high-treason‡."

In consequence of this decree, the dukes of Albemarle, Surry, and Exeter, were reduced to their

former rank of earls of Rutland, Kent, and Huntingdon; and the earl of Gloucester was obliged to resign that title for his former appellation of lord d'Espenser; but they were exempted from all farther prosecution. John Montague, earl of Salisbury, and Thomas, lord Morley also, who had been principally concerned in the murder of the duke of Gloucester, and all the arbitrary proceedings of Richard, were subjected to no other punishment than that of a short confinement, though the people loudly called for their deaths as traitors to their country; but Henry proceeded upon a moderate plan, wisely considering that his new-acquired power might have been shaken, had he proceeded to extremities against so many illustrious criminals.

However, as the accused lords had alleged, in their own defence, that they had been compelled by Richard to join in all his wicked measures, the house thought proper to petition the king (who granted their request), "that it might be enacted, that neither the lords spiritual nor temporal, nor the judges, should be allowed for the future to excuse themselves by saying they durst not act or speak according to law, or their real sentiments, through fear of death, or because they were not at their own liberty, seeing they were obliged to keep their oaths, notwithstanding any danger of death or forfeiture."

The house next proceeded to reverse the sentences against the earls of Arundel and Warwick, as directly contrary to the pardon which had been granted them: and Hall, one of the petty villains concerned in the murder of the duke of Gloucester, having confessed himself in open parliament to be guilty of that fact, was given up to public justice, and executed at Tyburn, and his head being sent to Calais, was fixed on a pole over one of the gates of that town.

A very important affair still remained, concerning which the king was very desirous to have the advice of the parliament before they broke up; this was no less than what manner the deposed king should be disposed of. It was necessary, however, to proceed with great caution on this head: accordingly, the house of peers being met on Thursday, the twenty-second of October, archbishop Arundel, in Henry's name, charged the lords spiritual and temporal, upon their allegiance, to keep what was going to be proposed a profound secret. After this preface, the earl of Northumberland opened the matter, by setting forth the necessity of falling upon some method to dispose of king Richard, securely and without touching his life, so as effectually to prevent his giving any disturbance to the realm. Each prelate and lord was then severally asked his opinion on this subject, and all unanimously agreed that he should be put under a sure guard, where there was no concourse of people; that he should be withheld from all correspondence by letters; and that no person of his acquaintance or family, should be suffered about him. After this the house proceeded to restore the archbishop of Canterbury to his temporalities; as also to reinstate private persons, who had suffered by the violences of the late reign, and to make good the damages which had been committed by Henry's own

* Rot. Parl. 1 Hen. IV. n. 63—143.

† The ceremony was performed by the king sitting upon his throne, and placing upon his son's head a circle of gold, putting a golden ring upon his finger, giving him the charter of

his creation, and introducing him by the duke of York to his seat in parliament. Cotton's Abridgement, p. 392. Walsingham, p. 361.

‡ Placit. Coron. 1 Hen. IV.

army in its march. When the disposal of Richard's person was under the deliberation of the lords, Thomas Merkes, bishop of Carlisle, spoke so warmly in his favour, and in terms so disagreeable to the king, that he was committed first to the Tower of London, and afterwards to the custody of the abbot of Westminster. The affairs of the nation being thus settled, Henry dissolved the parliament, and turned his concerns towards his affairs on the continent.

His first care was to notify his accession to the court of France, which was so nearly allied to the deposed king; accordingly he dispatched the bishop of Durham and the earl of Worcester, as his ambassadors, to Paris, with a general commission to propose an intimate alliance, by matches between all the princes and princesses of both bloods; but the ambassadors found Charles very little disposed to listen to such overtures; on the contrary, he was highly incensed at the injury done to his son-in-law: and when the ambassadors, on their arrival at Calais, sent an herald to his court to demand a safe-conduct, the French king threw the herald into prison, and sent the ambassadors positive orders not to set foot in his dominions, bidding them, at the same time, tell their master, that he would immediately declare war against him as a traitor and usurper.

The court of Germany, however, proved more compliable; the emperor Wenceslaus, who was still alive (though very soon after deposed), was a prince grown stupid with drinking, the common vice of the Germans, and wholly regardless of what passed in England, so that he made very little scruple to recognize Henry's title. As for the kings of Castile and Portugal, they were rather gainers by a revolution that advanced their brother-in-law to the throne, so they readily approved, or at least seemed to approve it.

While the English ambassadors were waiting at Calais, they received advice from the famous sir Robert Knolles, governor of Guienne, that the people of that province, enraged at the deposition of Richard, whom they were particularly attached to, on account of his being the son of their darling the Black Prince, were going to revolt, and already talked of putting themselves under the dominion of France; the ambassadors immediately dispatched advice of this to England, and Henry, who was perfectly acquainted with the disposition of the Gascons, instantly sent over orders for Piercy, earl of Worcester, to leave Calais, and to take upon him the command of the troops in Guienne. As that nobleman was extremely agreeable to the Gascons, he managed so well that he persuaded them to resume their allegiance to the crown of England, under which they had so long lived with the utmost ease and liberty; and the first heat of their resentment being dissipated, they continued quiet, while the duke of Burgundy, who had advanced as far as Agen, to support them in their revolt, was obliged to return without any success.

Henry had, moreover, upon his hands another affair, which gave him no little disturbance. About the latter end of this year a pestilence raged in the northern parts of England: the Scots, as usual, improved this, together with the unsettled state of

the nation, to invade England; and the truce made between the late duke of Lancaster and the prince of Scotland being now expired, they besieged, took, and burnt to the ground the castle of Werk, which was commanded by sir Thomas Grey, then attending his duty in parliament. Upon this Henry demanded an extraordinary aid of his subjects, to quell those invaders; which being granted, the earl of Northumberland was sent down to provide for the farther security of the Marches. Robert III. who was now on the Scottish throne, was a weak prince; he had invaded England from a supposition that the deposing of Richard would stir up the court of France to assist him in his inroads upon that kingdom; but finding himself deceived, he did not think fit to push his late enterprize any farther, and, recalling his troops, remained quiet*.

In this manner passed the three first months of Henry's reign; but the year 1400 began with a conspiracy against him, from which he was delivered in a manner almost miraculous. Historians differ greatly in their account of this plot, the whole progress of which appears, from the best authorities, to have been as follows.

The dukes of Albemarle, Surry, and Exeter, and the earl of Gloucester, were greatly enraged with the loss of their titles: and the three deprived dukes had farther occasion of discontent; the first had been divested of the post of constable of England, granted him for life by king Richard, but given by Henry to the earl of Northumberland; the second had been put out of his dignity of earl-marshal, which having, by a patent, been vested in him for the duke of Norfolk's life, was now disposed of to the earl of Westmoreland; and the third had lost the government of Calais. These noblemen considered Richard's restoration as the readiest, and, indeed, only means of serving themselves: with this view they entered into a confederacy with the earl of Salisbury, sir Thomas Blount, the abbot of Westminster, and the bishop of Carlisle, who was in the custody of this latter: they were also joined by several other persons of power and interest, who thought themselves aggrieved by the late revolution.

The conspirators had engaged in their company and party, one Maudlin, who had been chaplain to Richard, and resembled that prince so exactly in his shape and features, that it was proposed he should personate him as soon as matters should be ripe for that part of their scheme; in the mean time, upon consulting together, they imagined it would be no difficult matter to surprize Henry, who was keeping his Christmas, in a bad state of health and a thin court, at Windsor; and, in order to assemble a sufficient number of persons without suspicion, a match of tilting, twenty on a side, was proposed to be held in the holidays at Oxford: Henry was to be invited to this match, where, if he came, it would be an easy matter to seize him; or if he declined the invitation, they were to march secretly to Windsor castle, where they hoped to get admittance in the disguise of mummers.

Every thing was now in readiness, and the plot on the point of execution, when, on Sunday the fourth of January, it was discovered to Henry by the following extraordinary accident.

* This year, in November, died John, duke of Brittany. His first wife was daughter to Edward III. by whom he had no

issue. By his second, Joan of Navarre, he left two sons, of whom John, the eldest, succeeded him.

When the conspirators had fully digested their scheme, they entered into the most solemn association, with the most binding sacraments, to stand by one another; and six several copies of an indenture for that purpose were made out, to be delivered to the six principal noblemen concerned, of which the duke of Albemarle, now earl of Rutland, had one. These conferences and matters had been all held in a private room of the house belonging to the abbot of Westminster. The next day Rutland set out for Oxford, but in his way called at Langley, in Hertfordshire, to pay a visit to his father the duke of York: while they sat at dinner, the duke observed a paper in his son's bosom, and asked him what were its contents? the son, confounded at this unexpected question, replied, with some hesitation, that it contained nothing of moment. But the confusion which appeared in his countenance, and his endeavours to conceal the paper from sight, so raised the old duke's curiosity, that, reaching forth his hand suddenly, he snatched it out of his son's bosom before the latter could secure it. This paper, which was one of the six copies signed by the conspirators, revealed the whole plot to York, who, after recovering from his surprize, and severely reprimanding his son for the treasonable and unnatural part he was about to act, ordered his horses to be immediately saddled, in order to go and lay the whole before the king, at Windsor, and put him upon his guard.

Rutland, seeing himself infallibly ruined if the king was informed of the conspiracy from any one but himself, resolved to be before-hand with his father, and the messenger of his own treason. It was no difficult matter to out-ride the old duke, and in a short time he arrived at Windsor; and getting immediate access to Henry †, he fell upon his knees, and discovered the whole plot. Henry at first could not be persuaded to believe that his own brother-in-law, the duke of Exeter, had engaged in a plot against his life; he imagined it was all a fiction of Rutland's, on purpose to ruin the persons whom he had named in his confession: but the duke of York arriving in a very little time after, and producing the indenture he had taken from his son, put the matter past all doubt. Upon this convincing proof, Henry broke off his journey to Oxford, where he was to have gone next day, and set out immediately for London, where he took up his quarters in the Tower, knowing that the citizens would stand by him to the last.

The duke of Surry, now earl of Kent, and the earl of Salisbury, fearing lest Henry should change his mind and not visit them at Oxford, came that very night to Windsor, with a party of four or five hundred horse, well-armed, and were in no small confusion when they found the king gone, and their enterprize frustrated; but, setting the best face they could on the matter, they instantly produced Maudlin, their pageant king, dressed in royal robes, and boldly affirmed that he was Richard escaped from prison, and come to implore the assistance of his faithful subjects. The readiness with which the people listed under the banners of the pretended king, seems to shew that the deposing of Richard was not in general approved of, though the parliament had acted in the name of the whole nation, for in a very short time the lords conspirators saw themselves at the

head of an army of thirty thousand men, though most of them raw, rude, and ill-armed. It was now the opinion of the wisest among them, to march directly for London, and endeavour to seize upon that city with Henry in it, before either he or the citizens could have time to gather together a force sufficient to defend themselves: had this advice been followed, Richard perhaps might have been reinstated in his throne; but, fearing that the contrivance of their mock-king would be soon discovered, to the ruin of their scheme and the disgrace of themselves, it was resolved to march to Sunning, in Berkshire, where queen Isabella was kept, and, setting her at liberty, to take her with them and march northwards to Pontefract, where they were to release the real king Richard from his confinement. Isabella joyfully put herself into their hands, and they proceeded on their intended route, through Wallingford, Abingdon, and other places, till they came to Cirencester, in Gloucestershire, in which town the dukes of Surry and Exeter, and the earls of Gloucester and Salisbury took up their quarters, with the queen, leaving their forces encamped without the town. This disposition of their quarters ruined them; for the bailiff or mayor of the place, being a bold and resolute man and well-affected to Henry's interest, as were most of the people of that town, got together in the night about a thousand of them, with such arms as the time and place could furnish them with, and, when every one else was locked fast in sleep, beset the inns where the generals of the confederacy lodged, and attacked them with so great fury that these noblemen and their friends were at last obliged to surrender, and were detained prisoners in the abbey till the next day in the evening, when Surry, Exeter, and Salisbury were forcibly taken out by the people, and beheaded; most probably with the connivance of the bailiff, who thought if the heads of the insurrection were laid low, it would soon come to nought. Some writers mention, that some of the conspirators friends had, during the attack made by the townsmen, set fire to the town in several places, hoping thereby to divert the attention of the assailants to the preservation of their own dwellings, and thereby give the generals an opportunity to escape; and that this being known the next day, was the occasion of the mob rising and sacrificing the noblemen to their vengeance. The army of the conspirators no sooner heard of the fate of their leaders, than, struck with a panic, they quitted their camp in the greatest confusion, and every one shifted for himself. The earl of Gloucester (lord d'Esperen) by some means made his escape, but was taken in his flight at Bristol, and beheaded without any process.

Henry in the mean time having gotten together such a force as he thought sufficient to make head against the rebels, was advanced as far as Oxford when he received the agreeable news of the affair at Cirencester. Twenty-six of the principal gentlemen concerned in the conspiracy, and who had been taken with the leaders, were sent prisoners to Oxford while Henry was there, who immediately consigned them to execution by the common hangman. Maudlin, the mock-king, was reserved for a spectacle to the populace of London. Henry having thus wreaked his vengeance on all the rebels

† He pretended very earnest business with the king; and having caused the gates to be locked, took the keys with him. Comp. Hist. p. 278.

that fell into his hands, returned to London, which city he entered in triumph on the sixteenth of January, being met at some distance from the gates by a procession of eighteen bishops and thirty-two royal abbots, besides other prelates, the mayor and principal citizens in their formalities, and infinite crowds of common people.

Roger Walden, late archbishop of Canterbury, the abbot of Westminster, and Merkes, bishop of Carlisle, were next committed to the Tower: the former was soon after set at liberty, for want of sufficient proofs of his being concerned in the conspiracy, and afterwards preferred to the see of London: Merkes, as clergyman, had his life spared, but stripped of his ecclesiastical character and functions by the pope, at Henry's request; and the abbot of Westminster died of the fright at being discovered. As for Maudlin, after being publicly exposed on the pillory (or something like it) to the insults of the populace, he was taken out half dead, and carried to the gallows, where he was hung up by the heels till he expired.

The fates of the conspirators were only a prelude to that of the unhappy Richard, whose death their insurrection probably hastened. There is a great diversity among historians touching the manner of his death, though all agree it was unnatural*: the most probable way of accounting for it, is that, like his great-grand-father, Edward II. whom he resembled in his misfortunes, as well as in the conduct which brought on those misfortunes, he was by his keepers so harrassed in mind and body, by being kept continually alarmed, and denied the comforts of sleep or food, that it put an end to his days. By whatever methods his death might be occasioned, it is certain from our records, that he perished at this time, in the thirty third year of his age, at a juncture so critical as fully to answer the purposes of the person in possession of his throne.

For le Laboureur, in his History of Charles VI. tells us, that at this very time that king was preparing to restore his son-in-law to his crown; which account is corroborated by our own records†, for, on the twenty-seventh of January, Henry wrote to archbishop Arundel, to cause all the clergy of his province, both secular and regular, to be arrayed, armed, regimented, and ready to take the field on the first notice, to oppose the enemy; but the news of Richard's death, according to the French historian just quoted, arriving at the court of France, put a stop to the designed invasion; and, on the twenty-ninth of January, Charles issued a proclamation, ordering the truce of twenty-eight years between the two crowns to be punctually observed

by all his subjects: and towards the middle of May the two courts seem to have come to a perfect good understanding; the bishop of Durham, the earl of Worcester, the lord Say, and Richard Holm, a canon of York, being commissioned from king Henry to confirm the said truce in his name, and to put the finishing hand to a treaty for restoring Isabella, the eldest daughter of France, and the late king Richard's queen, to her father‡.

This timely accommodation with France made Henry less attentive to keeping well with the Scots, with whom he had at this time a quarrel, on the following occasion: their king Robert Stuart, the third of that name, was desirous to marry his eldest son, prince David, to the daughter of some nobleman of his kingdom, the most distinguished by his interest and riches; George Dunbar, earl of Marche, and Archibald Douglas, earl of that name, were the two competitors for this honour. Dunbar out-bid his rival, and relying on the king's honour, who promised him his son's alliance, he paid down a large sum of money beforehand, as part of his daughter's fortune: however, shortly after, by intrigues foreign to our purpose, prince David was married to the daughter of Douglas. The earl of Marche thinking himself maltreated by his sovereign in this affair, abandoned his own country and retired to England, where he was hospitably received by Hotspur Percy, in return for the like treatment the latter had met with from him when carried into Scotland by Douglas; and who now joining his own resentments to those of his noble guest, supplied him with a body of troops, and accompanied him in person, to make incursions into Lothian. Robert, the Scottish king hereupon sent ambassadors to Henry, demanding that the traitor, Marche, might be surrendered to justice; and the English monarch refusing the satisfaction, Robert declared war, and prepared for an invasion. Henry, apprized of his intention, resolved to anticipate his operations, and assembled a considerable force, which he appointed to rendezvous at Newcastle, on the first of August. In the mean time he wrote a letter to the king of Scotland, requiring him to perform his homage to the English crown in his own person. He also sent circular letters to the peers of that kingdom, requiring of them to perform to him their own homage, in case their king should refuse to comply with the summons he had sent him. The twenty third of August was the day appointed for them to be ready to meet the king of England at Edinburgh, and there swear fealty in like manner as their ancestors had done to Henry's predecessors, kings of England.

* Fabian relates his death in the following manner: sir Piers Exton, a domestic of Henry, having received a commission from his master for this bloody purpose, came to Pontefract castle, with eight assistants. On the day of his arrival Richard perceived, at dinner, that his victuals was not tasted as usual: enquiring the reason, he was told by the person who used to perform that ceremony, that the king had ordered it to be omitted; upon which Richard, losing all patience, struck the taster on the face with his knife, saying, "The devil take Henry of Lancaster and thee!" Exton coming in at the instant, with his attendants, attempted to lay hold of Richard, who, guessing their design, wrested a pole-ax out of the hands of one of them, and defended himself so bravely, that he slew four of the ruffians: but at length Exton, getting upon a chair behind him, the villain discharged such a blow with an ax upon his head that he laid him dead at his feet. This is Fabian's account (p. 343.) But this by no means agrees with a known fact, namely, the exposing the body with the face bare to public view, for three days, and that no marks of violence were observed upon it.

Walsingham says he fasted himself to death for the miscarriage of the plot, p. 663. Hector Boethius will have it that Richard fled in disguise to Scotland, where, giving himself up entirely to contemplation, he lived and died, and was buried at Stirling. But this can only be true of some counterfeit Richard. Upon the whole, the account we have given of this melancholy event appears to be most consistent with Richard's own circumstances, and the spirit of those who were masters of his fate: and has, moreover the advantage of being confirmed by the declarations of the earls of Northumberland and Worcester, and the lord Percy, which will be found in the course of these pages, who say that Richard was killed in a miserable manner, by being kept fifteen days and nights without either meat or drink. These were the likeliest persons of any to know the truth of the fact, it having been perpetrated in the county of York, and in their neighbourhood. Anglia Sacra, vol. ii. p. 365. Carte, p. 639.

† Rymer, vol. viii. p. 124

‡ Idem, p. 142.

On the sixth of August, Henry having reviewed his troops at their rendezvous, began his march for the city of Edinburgh, at which he arrived without the least opposition; and being disappointed of the attendance of the Scottish king or his nobility, immediately formed the siege of the castle, which was defended by David, duke of Rothsay, prince royal of Scotland, and his father-in-law earl Douglas, and so bravely, that Henry, after having spent three weeks before the place, and finding himself unable to carry it, thought proper to abandon the enterprize, and return to his own dominions. He was closely followed by two bodies of Scots, commanded by sir Alexander Hepburn and sir Walter Halyburton, who fell upon the northern counties, which they cruelly ravaged; but Hepburn being defeated and slain in his return from this expedition, by a body of the Marchers under young Hotspur, the Scots proposed terms of a truce for six weeks, which were agreed to by Henry, and afterwards prolonged according to the exigency of affairs on both sides*.

Henry the more readily consented to this truce with the Scots, as, on his arrival at Northampton, September 19, in his way to London, he received certain advice that the Welsh were about to revolt against the English government, from which there was reason to fear the most fatal consequences. This insurrection was headed by a gentleman named Owen Glendourwy, or, as we commonly find him called by our historians, Glendour. This man had been educated in the inns of court, where he studied as a barrister at law; then, entering into the service of Richard II. was made one of the esquires of his body (the same as what we now call gentlemen pensioners.) He was in waiting about that unhappy prince's person when he was taken and carried off from Conway castle, by the treachery of the earl of Northumberland; but being forced to quit his royal master, retired to his own patrimonial estate (which was very considerable for those days) in Wales, and which bordered near upon that of the lord Grey of Ruthyn. This nobleman had in the late reign made several encroachments upon Owen's lands, for which Richard had obliged him to make the other satisfaction: however, this begat a deadly animosity between both parties. The lord Grey, as lieutenant of the county in which he lived, having received summons from Henry for all his military tenants to attend him in his expedition to Scotland, with-held that directed for Owen so long, that the latter found it impossible for him to be at the rendezvous at Newcastle, with his followers, by the time appointed. This was done designedly by his enemy, the lord Ruthyn, to prejudice him in the mind of Henry, and to subject his lands to forfeiture, the usual penalty for non-compliance with the royal summons; and Henry was no sooner departed from Newcastle, than Grey entered upon the lands of Glendour, in the king's name. Owen, finding himself outraged, applied to Henry for redress, but in vain, that prince having conceived a dislike to him for his attachment to Richard:

Owen therefore sought for justice by his sword, and, returning force by force, recovered his lands out of the possession of the lord Grey. Henry, in his retreat from Scotland, receiving advice of this violence from the lord Grey, commissioned him and the lord Talbot to take the command of part of his forces, and to march against Owen; and they came upon him so unexpectedly that he with great difficulty made his escape into the woods and mountains.

Owen, finding this was no longer to be considered as a private quarrel, but that the court interested itself therein, thought it prudent to gain a party amongst his countrymen, by setting up his claim to the principality of Wales, as the next lineal heir of Llewellyn ap Griffith†. He was not long before he saw himself at the head of a powerful body of resolute men, who, with one consent, proclaimed him prince of Wales. At the head of these he fell upon the lord Grey's town of Ruthyn, where a fair was then held, plundered the merchants, burnt the place, and afterwards retired to his fastnesses in the mountainous parts of the adjacent country. Had the English earl of Marche, the true heir of the late Richard, had spirit enough to have put himself at the head of the Welsh, they would, no doubt, have risen in his favour as one man, and Owen himself would have gladly served under him; but he was so pusillanimously cautious of offending the English court, that, during Henry's absence, he took up arms against the Welsh, upon their first breaking out into hostilities. Owen, enraged at this opposition from a quarter whence he thought he had so little reason to expect it, no sooner heard the English troops under Talbot were withdrawn, than, getting together a strong body of the hardy Welsh, he suddenly attacked the earl of Marche, who had so officiously declared himself his enemy, and, after an obstinate engagement, in which no less than fifteen hundred English were left on the field, he made himself master of the earl's person, who, by his orders, was immediately thrown into loathsome and strict confinement. As Henry bore a mortal hatred to all the family of Marche, and, moreover, was not displeased that the next heir to the English crown was in the hands of his enemies, he, with unpardonable ingratitude, allowed the earl to remain in captivity, nor would he suffer the earl of Northumberland, to whose assistance he himself was indebted for his crown, to treat with Glendour for his ransom.

But notwithstanding this indifference as to his cousin, Henry thought himself obliged to protect his people; and, immediately on his return from Scotland, he ordered all his forces to advance towards Wales. Glendour had not troops sufficient to make the least head against a royal army, commanded by so experienced a general as Henry, and therefore preserved the same conduct which the wisest of his ancestors had always observed, for he retired beyond the Snowdon-hills, and left Henry with his great army, in a severe season, to wreak his venge-

* Act. Pub. p. 166, 186.

† He was the son of Griffith Vaughan, lord of Glendourwy and Kyntleath, by his wife Helena, eldest daughter (and co-heiress with her younger sister, Eleanor, wife of sir Tudor ap Girno, and brother to Meredith, father to Owen Tudor, grand-father to king Henry VII.) of Thomas ap Llewellyn ap Owen, by his wife Eleanor Gaon, daughter and co-heiress

of Catherine, the only child and heiress of Llewellyn ap Griffith, the last prince of Wales of the Welsh blood, who was slain A. D. 1282, near Buelt, in South Wales. This Owen Glendourwy was born A. D. 1354. Carte, from Ellis's account of Owen Glendourwy, among bishop Humphrys's MSS.

ance upon an already desolated country. Thus it was very late in the year before Henry returned from his two expeditions, both of them equally barren of glory or advantage.

The king's return to his metropolis was followed by the discovery of a plot against his life, by the means of an iron instrument (called a calthrop), having three sharp spikes, and which was disposed in such a manner in his bed, that had he chanced to lie down incautiously, he must inevitably have been run through the body; but by good fortune, he perceived it just as he was going to bed. What enquiry soever was made, there was no possibility of discovering the contriver of that attempt.

About the end of this year Emanuel Palæologus, emperor of Constantinople, arrived in England to desire assistance against Bajazet, emperor of the Turks. Henry paid so much deference to this imperial supplicant, that he went forth to meet him, with great pomp, on Blackheath, on the twenty-first of December, and not only treated him with the utmost distinction, but ordered all his expences to be defrayed during his residence in England; but as for assistance, he put him off till his own affairs were better settled. The emperor soon after left England and went to France, where he remained for two years, till he received news that Bajazet, his enemy, was vanquished and taken prisoner by Tamerlane.

On the twentieth of January, 1401, Henry assembled a parliament, and, by his lord chief-justice Thirning, who, on this occasion, acted as chancellor, demanded a supply for carrying on the war against the Scots and Welsh, and to provide for the security of the realm in case of any attempts on the part of the French, who began to grow very dissatisfied at the princess Isabella not being sent home. The lords and commons cheerfully complied with this demand, and in a very few days voted to the king one tenth, one fifteenth, two shillings on every tun of wine, and eight pence on every pound of merchandize. In this parliament also several acts were passed relating to the church, which will come more properly in another part of this history; we shall therefore only remark, that Henry, on this occasion, acted perfectly agreeable to the character he had acquired of being the most politic prince of his time. While a subject, he was supposed to be strongly tinctured with Lollardism, or the principles of Wickliff; but finding himself possessed of the throne by a precarious title, he thought superstition a very necessary support of public authority; he therefore resolved to make himself as popular as possible with the clergy; and he knew no method was so effectual for that purpose as to gratify their resentments against their opponents, and from henceforth set his face professedly against all those who dissented from the established worship of the Romish church, insomuch that he gave his assent this session to a law (the first upon record) for delivering all heretics to the civil magistracy, by them to be committed to the flames.

As a war with France would have been very inconvenient for Henry in his present situation, he took care to prevent it by restoring queen Isabella, with her jewels, a point Charles VI. insisted on so earnestly that he would not admit of any delay; but no part of her fortune seems to have been refunded at this time, Henry demanding that the lady's portion might be discounted for what was due to the crown

of England of the ransom of king John of France. In the mean time a negociation, which had been set on foot in Germany, for a marriage between Blanche, the eldest daughter of Henry, and Lewis of Bavaria, eldest son of Rupert, emperor of Germany, was, to Henry's great satisfaction, concluded in May this year: the princess was to have for her portion forty thousand nobles. At the same time a treaty of perpetual alliance was made between the emperor and Henry. The lady Blanche, however, was not sent over to Germany till the beginning of the following year.

No other transactions of any moment distinguish this year, unless it be the several cruel prosecutions raised against certain persons for saying king Richard was alive: among others who suffered on this account was sir Roger de Clarendon, supposed natural son of the Black Prince. This year also Edmund of Langley, duke of York, the late king's uncle, died, leaving two sons, Edward, duke of Albe-marle, who took the title of duke of York, and Richard, earl of Cambridge; of the latter of whom we shall have occasion to speak in the course of the ensuing reign.

The year 1402 opened with mighty preparations on the part of Henry for acting vigorously against the Welsh and Scots; and writs were issued for arraying the subjects to attend the king in an expedition which he determined to make in person against Owen Glendour, whose rebellion was by this time become very formidable. Henry accordingly began his march about the latter end of July; but encountered such dreadful tempests in his way, that he lost a prodigious number of horses and other beasts of draught and burthen, so that, unable to convey his carriages over the rugged roads of the Welsh, for want of such assistance he was obliged to return still more shamefully than he had done the preceding year; for despairing of being able to free the lord Grey of Ruthyn, who had been lately made prisoner by Owen, he now gave that nobleman leave to treat for his ransom, and even proposed underhand terms of agreement with Owen himself, who, however, rejected them all with a contempt that severely mortified the haughty soul of Henry.

Enraged at the ill success of so many expeditions, he resolved to effect that by stratagem, which he could not bring about by force, and to get rid of Glendour at any rate, little solicitous about the nature of the means, so the end was obtained. For this purpose he cast his eyes upon David Gam, a Brecknockshire gentleman, who, holding his estate of the Hereford family, had long been in the service of Henry, when only duke of that place, and was therefore thought by him the fittest instrument to be made use of. Accordingly, by the most flattering promises, he engaged this soldier of fortune to assassinate Owen. David had married one of that leader's sisters, and therefore could never want an opportunity of access to his person, and put his villainous design in execution. Every thing was ready for the meditated blow: David had actually received an invitation from Owen, to give him a meeting in his tent, when the plot was discovered, and the traitor arrested and thrown into prison, from whence he afterwards found means to make his escape, and fled into England.

Henry, however, was in great measure consoled for his ill success in Wales, by the fortune of his arms

arms in the the north of England. The Scots, under the command of Hepburn, son of him who was slain two years before, made an irruption into England, and advanced as far as Newcastle; but, upon their return into Scotland, they found themselves intercepted by a strong body of forces, commanded by the earl of Northumberland, his son Henry Hotspur, George, earl of Dunbar, who (as already related) was a refugee in England, and the lord Greystock, who quickly put them to flight, and their general Hepburn was himself slain in the action. This party, however, was but a kind of vanguard to a much greater force that had now entered the borders, under the earl of Douglas, who, burning with indignation at this victory over his country-men, prepared to revenge their disgrace, and, by hasty marches, came up with the English army in two days after, at Halydown (or Holmedon) Hill, near Wooler, in the county of Northumberland: here a bloody battle ensued, in which the victory at length fell to the English, though not without a fierce resistance on the part of the Scots; but being drawn upon the declivity of the hill, they were so exposed to the arrows of the English archers that they were at length obliged to give way. The brave Douglas, after losing an eye, and being otherwise wounded in several parts of his body, was taken in the field of battle, as were also Murdoch, earl of Fife, eldest son to the duke of Albany (brother to the king of Scotland), the earls of Angus, Athol, Monteith, and a great number of other officers of distinction: no less than seven thousand Scots were left dead on the field of battle, besides a much greater number perished in the Tweed, as they were flying from the victorious English. This battle was fought on Holyrood-day (the seventh of May.) Henry immediately on the news of this victory, wrote a letter, full of the warmest expressions of thanks, to the earl of Northumberland, young Hotspur, and the Scottish earl of Marche (Dunbar); but at the same time strictly enjoined them, upon no condition whatsoever to ransom any of their prisoners, or otherwise set them at liberty, resolving to take them into his own custody, hoping by that means to conclude a more advantageous peace with Scotland: but by this arbitrary and impolitic step, he exposed himself to the resentment of the Piercy family, which had well nigh proved fatal to his crown and life.

This year Henry, who had been for some time a widower, made his addressee to Joan, duchess-dowager of Brittany, daughter to the king of Navarre, relict of the late duke, and mother of the minor- duke and his two brothers. As this was merely a match of interest, both parties fought only to make the best terms for themselves; the duchess not caring to trust her sons in Henry's power, put them under the guardianship of the duke of Burgundy*, who conveyed them to Paris. This was a great disappointment to Henry, as it deprived him of an advantage of great consequence to his affairs with France. However, on the twenty-fourth of October this year, the earl of Worcester was sent to bring over the bride, who now assumed the title of queen of England. A double marriage was also set on foot this year, viz. that of Philippa, second daughter of Henry, with Eric, the minor-king of Denmark; and that of Henry, prince of Wales,

with Eric's sister: but the first match only took place.

The parliament being met in October, granted the king a subsidy, and then confirmed several statutes made in the reign of Edward III. in favour of the clergy. Before the session broke up, the earl of Fife, the lords Graham and Montgomery, sir Adam Forrester, with several others of the prisoners taken at the battle of Halydown Hill, were presented to the king in full parliament, and were all committed to the custody of the steward of the king's household.

In the course of this summer the Bretons, who were highly displeased with the intended match between the duchess-dowager and Henry of England, and were, moreover, entirely under the guidance of French counsels, committed many depredations upon the coast of England; and the English deputies, who were then at a congress at Lelighen, on a confirmation of the truce subsisting between the two kings, complaining of these insults, the French plenipotentiaries alleged that the English were the aggressors; but as a rupture was deemed equally inconvenient on both sides, they waved all punctilios, and the truce was again confirmed; but with so little sincerity on the side of the French, that, almost at the same time, they entered into a treaty with the Welsh under Owen Glendour; and Valeran, count de St. Pol, of the house of Luxembourg, who had married an uterine sister of Richard II. made a descent upon the Isle of Wight, pretending, in his own name, to revenge the death of his brother-in-law.

Towards the beginning of the year 1403, the new queen arrived at Falmouth, in Cornwall, after a most tempestuous passage, in which she was twice in danger of being shipwrecked. After resting some time to recover from her fatigue, she went to Winchester, where she was married to Henry, on the seventh of February, with great magnificence; but, whilst the attention of the court was engrossed with feasting and rejoicing on this occasion, a dreadful storm was impending over Henry's head, which threatened nothing less than the loss of the crown, which he had acquired by ways not universally approved, and which he sought to preserve by shedding torrents of noble blood.

We have already observed, that immediately after the battle of Halydown, the king had forbade the victors to dispose of their prisoners without his direction, and shortly after he sent to demand of them all the captives of any note they had taken. The earl of Northumberland had been very instrumental in raising Henry to the throne, and of consequence could not bear with any marks of injustice or ingratitude from a prince whom he had so highly obliged: however, he paid so much deference to the royal authority as to repair to court, and endeavour, by his respectful remonstrances, to persuade the king to leave his prisoners at his disposal, but had the mortification to be denied; upon which, losing all patience, he spoke with so much warmth, that the king ordered him out of his presence. Northumberland quitted the court in high disgust, and it was in vain that Henry sent him another order to deliver his prisoners; he absolutely refused to give them up. The fiery spirit of the Hotspur Piercy, his son, contributed greatly to inflame his dis-

* D'Argentré Histoire de Bretagne, p. 704, 707, 712.

discontent, while the weak title of the new king encouraged him to seek a redress for his grievances by overturning that throne which he had at first established by an act which did little honour to his name or high rank.

But though revenge for personal insults was the only motive of the earl and his son Henry, in their proceedings against the court, yet Thomas Piercy, earl of Worcester, Northumberland's brother, who joined them in their quarrel, was actuated by principles of a different cast, though concurring with their views. This nobleman had been made vice-chamberlain and admiral by the late king Richard, and had been indebted to him for many acts of munificence and favour; he loved the person of his old master and benefactor whilst living, retained a grateful sense of his benefits after his death, and could not but detest Henry as the author of his murder and the usurper of his crown: it was from these motives that he engaged with the earl of Northumberland and Henry Piercy, to drive from the throne a person he thought not entitled to fill it, and by his example and counsels persuaded many other noblemen of great interest to join their party. Worcester's principal aim was to set the crown upon the head of Edmund Mortimer, earl of Marche (still a prisoner in Wales), and he therefore persuaded Northumberland to dispatch secret agents to Glendour and Mortimer to invite them to join in the confederacy, promising to acknowledge Glendour as prince of Wales, a title he had long assumed. Owen readily listened to the proposal; and the earl of Marche did not long hesitate to lend his name for the execution of a project tending to place the crown on his head. According to some authors, he had the meanness to agree to a partition of the English monarchy, by which the earl of Northumberland's family was to have all the lands to the north of the Trent, and Glendour all that which lay beyond the Severn, while he himself (Mortimer), as king, was to enjoy the rest of England. It is to be observed, that this earl of Marche was the son of him whom Richard had declared the heir to his crown, and at that time not above eighteen years of age. To make still a greater addition to their strength, the Piercys promised the earl of Douglas his liberty without ransom, provided he would enter into a strict alliance with them; a proposal to which that martial nobleman readily consented, as he had an inveterate hatred to the whole house of Lancaster.

But there yet wanted a plausible pretence for gaining the people on their side; the politic Worcester furnished them with this, by putting his brother, the earl of Northumberland, and the Hotspur Piercy, upon demanding the redemption of the earl of Marche out of Glendour's hands; a request for which they had received a sanction in the proceeding of king Henry himself, who had given leave to the lord Grey of Ruthyn to procure his liberty by ransom. The project thus formed, the earl of Northumberland feigned for some time to forget the cause of disgust given him by the king; he even came to court, and Henry appearing likewise to have laid aside his resentment for the earl's late freedom of speech, the latter took an opportunity one day, at council, to represent to the king, that the earl of Marche having lost his liberty in his service, it was but reasonable that the crown should release him, by paying his ransom to Glen-

dour: Henry was too wise a prince not to be sensible with what view this request was preferred; and he shewed his indignation by behaving to Northumberland in such a manner as the latter, thinking he should never be forgiven if Henry had power to punish, left the court with a resolution to prepare for the field.

Things being thus come to an extremity, the Piercys took very little time to make Henry sensible of their importance, which in the North was without any rival. Accordingly, as soon as the other confederates were ready, Northumberland assembled his vassals and tenants from all quarters; and so extensive was his authority, that the very same men whom he had so lately led against Richard, were now as ready to follow his standard in opposition to Henry.

That monarch, who had received no intelligence of their designs, was extremely surprized at having the first news of it from the confederates themselves. It was in those days a point of honour for such as took up arms against a prince to whom they had done homage, to give that homage back in form, to defy him openly, and notify to him the reasons of their quarrel. This method was therefore followed by the chiefs of the present insurrection, and a manifesto was drawn up in writing, under the seals of the earls of Northumberland and Worcester and the lord Henry Piercy, and sent by Thomas Knayton and Roger Salwain, two of the last named nobleman's esquires, who was charged with publishing it to the world, after having defied Henry, in which act the messengers were generally deemed to have the privilege of heralds, viz. that of safe egress and regress.

In this writing, or manifesto, the Piercys charged Henry with "treachery and perfidy, in having violated his promise to the nation by taking the crown to himself, contrary to his solemn professions, which they pretended to have under his hand and seal, immediately upon his landing at Ravenspur: they accused him of having in an arbitrary and tyrannical manner ruled the realm; and having rendered himself inaccessible to every one but the clergy, inso-much that the greatest peer of the land could not be admitted to his presence, unless introduced by some bishop: and, moreover, that he had converted to his own use the subsidies which had been granted for the service of the public:" but that part of the charge which was urged most home against Henry, was the murder of Richard, with which they accused him in the following words: "That, notwithstanding the oath he had taken in their presence, that his and their lord, king Richard, should reign as long as he lived, in the enjoyment of his royal prerogative, he had traiterously caused him to be put to death in the castle of Pontefract, for fifteen days and nights (a wickedness not to be heard of by Christians without horror) in hunger, thirst, and cold, murdering him in that manner."

Henry answered this manifesto by another, in which he, with great plausibility, endeavoured to exculpate himself from the crimes laid to his charge; and accused the Piercys, in his turn, of having engaged in an unnatural rebellion against the established government, and against him who had on all occasions distinguished them from the rest of his subjects by every act of munificence and friendship, that a sovereign could bestow upon the most beloved of his counsellors: but that which did Henry

the most service in the opinion of the nation in general, was the fair and impartial manner in which he concluded his declaration, wherein, laying aside all screen of prerogative, he offered, in order to remove all matter of distrust, and to let his subjects see how candidly he was inclined to proceed, to grant the Piercys a safe-conduct under his hand and seal, that they might return from, as well as repair to, court, where, before their peers, their complaints should be fully heard, and, if well founded, their and the public grievances redressed."

Nor did the king content himself with remonstrances only, but, sensible of the great importance of quickness and dispatch in all civil commotions, he instantly set out on his march, in order to give the rebels battle, whom he heard were in march southwards. Happily Henry had at that time an army ready raised, which he had assembled in order to take the field against the Scots.

When the confederates were just ready to begin their march, the earl of Northumberland was taken ill at Berwick, and young Percy, putting himself at the head of the troops, advanced to Shrewsbury, in order to meet the forces that Owen Glendour was bringing to his aid; but he had hardly time to summon that town, which shut its gates against him, when he heard that Henry, with his son, the prince of Wales, and that brave Scot the earl of Marche (who, though himself a rebel, became now the main instrument of quelling rebellion), was in full march towards him, with an army superior in number to his, which was not above fourteen thousand. Upon this Percy abandoned the siege of Shrewsbury, which he had begun to form, and withdrew his forces to Hartlefield, about three miles distant, where he resolved to hazard an engagement.

The next day both armies prepared for action. Young Hotspur encouraged his men by expatiating on the glory that would attend their names, if, by their endeavours, they placed on the throne the rightful heir, dispossessed by an usurper: at the same time he represented to them, that if they did not behave manfully, they would be treated as rebels, and, instead of dying like soldiers in the field, fall unlamented like felons by the hands of a common executioner. This speech had the desired effect, and a thundering shout proclaimed the ardour of his men to engage.

Mean time Henry could not, without dismay, behold his life, his crown, his family and friends, in a word, all that he had been labouring for in many a well-fought field, ready to be put on the dreadful and doubtful issue of that day's action. Staggered by these reflections, and perhaps not possessing that calm serenity which conscious innocence and integrity ever gives in the hour of danger, he stooped on this occasion to treat with an enemy, from whom he had received such insults that seemed above the bearing of human patience. In short, he sent the abbot of Shrewsbury, with proposals of accommodation, to Worcester, and made such concessions as would, in all probability, have melted the young and gallant Hotspur into submission. True courage and a generous tenderness are seldom separated in the mind of the brave; but Worcester knew how little was to be depended

upon in the promises or concessions of a prince, who acts from the necessity of his affairs, and represented the king's message in such a light to his nephew*, that Percy sent a defiance to Henry, and prepared for the charge. The chief command under him was given to the earl of Douglas, and the other principal officers were the baron of Kinderlin, sir Hugh Broun, and sir Richard Vernon; and the word was, Esperance Percy.

Henry, glowing with indignation at finding his proposals thus scornfully rejected, changed all his former pacific thoughts to those of vengeance for affronted royalty, and gave orders to begin the battle.

The onset was made by a dreadful discharge from the archers of both armies; but the Scots, agreeable to their usual manner of fighting, closed in so impetuously with Henry's foot, that his first line gave ground, and would have disordered the whole of the royal army, but for an advantage which the inconsiderate valour of Percy gave his enemies: accompanied by Douglas, once his mortal enemy, but now his steadfast friend, fighting side by side, they opened a way with their swords to the place where they saw the royal standard flying, and where they knew Henry fought in person, both contending who should have the honour of encountering the royal chieftain; their ardour, however, proved fatal to their cause; they had made their charge so desperate and quick, that few of their men could follow them; they performed such prodigies of valour, that they were entirely surrounded by heaps of the dead bodies of their enemies: the royal standard was beaten to the ground, and Henry, at the persuasion of the Scottish earl of Marche, removed to another part of the field. But while the two generals thus dealt death and destruction amongst the royal army, their own troops, being no longer directed by their leaders, fought at random; which Henry perceiving, ordered them to be charged in flank, which was done with such fury that they were presently put to the rout, and a most horrible carnage ensued. Hotspur and the earl of Douglas having in vain sought for the king, who, by a wise precaution, had that day accoutered several officers in royal attire, who all fell successive victims to their swords, now endeavoured to fight their way back to their main army, but Percy soon after fell by an uncertain hand (some say it was the prince of Wales who killed him); and the brave Douglas, overpowered by numbers, was fain to yield himself prisoner. The fate of these two leaders decided that of the day, and victory declared for the royal army, though not without their suffering a very considerable loss: Edmund, earl of Stafford, who commanded the first line, sir Hugh Shirley, sir John Clifton, sir John Cokayne, sir Nicholas Gansel, sir John Calverly, sir John Maffey, sir Hugh Mortimer, and about sixteen hundred men were left dead upon the spot, and about three thousand men dangerously wounded.

On the side of the confederates no fewer than two hundred knights and five thousand (some say double that number) soldiers were killed outright; the earls of Worcester and Douglas were taken prisoners, together with the baron of Kinderlin and sir Richard Vernon. This battle, the best fought

* Contraria referens regis responsis (says Walsingham) exacerbabit mentem juvenis (Henrici Hotspur) & ad bellum impulit etiam non volentem.

and the most desperate that England had ever seen, was gained on the twenty-second of July, 1403.

The next day the king made his entry into Shrewsbury, where he ordered all the prisoners abovementioned to be beheaded, except Douglas, whom he dismissed without ransom, on account of his valour; a generosity unusual with the most generous of those times! As for the body of Hotspur Percy, the king at first permitted it to be buried, but afterwards, for some particular reason we cannot account for, he commanded it to be dug up, and sent in quarters to the chief towns in the kingdom, while his head was carried to London, and there exposed on the bridge.

In the mean time the earl of Northumberland, being recovered, was advancing with a body of troops to reinforce the malecontents and take upon him the command; but hearing of the total defeat of his family and followers, he stopped short in his march; and understanding that the king was advancing against him at the head of his victorious army, he shut himself up in Warkworth castle. By this time Henry was advanced as far as York, from whence he wrote to the earl, requiring him to dismiss his troops and repair to court in a peaceable manner; which the latter immediately complied with, and, on the tenth of August, he made his submission to Henry, who left him not without hopes of a pardon. What may appear at first sight to be a noble instance of generosity in Henry towards his enemy, will, upon a little reflection, be found the result of a prudent foresight and attention to his own interest: he was afraid of driving to despair a nobleman who was in possession of the important fortresses of Berwick, Alnwick, and Warkworth, besides the castles that were occupied by his friends and vassals who had escaped from the battle of Shrewsbury. The king likewise gave other instances of his moderation on this occasion, for he published a proclamation, requiring all his subjects to desist from plundering the estates and houses of the rebels, and even to restore whatever had been forcibly carried away. The king next exacted an oath of allegiance from the noblemen and freeholders of the northern counties, importing that they would not give any kind of aid or support to the earl of Northumberland, or any other, against the government.

Having thus provided for the tranquility of the North, Henry found it necessary to attend to affairs in the southern parts of the kingdom, where the Welsh, encouraged by their new allies, the French, had, during the late commotions, fallen into the English marches with so much fury, that the king found it necessary to dispatch his son, the prince of Wales, with a body of forces, to check their incursions, while he prepared to follow with the main body of his army. But this design was defeated by the failure of his finances, which, upon inspection, proved insufficient longer to maintain his troops. In this exigence he called a council of war, when some of his chief officers proposed that he should seize the money and rich equipages of the prelates who served in the expedition. The king appearing inclined to follow this advice, as it secured him a certain supply, Arundel, archbishop of Canterbury, stood up, and boldly declared,

“That they should win with blood whatever they got from him and his retinue*.” This spirited opposition entirely damped the proposal, the king not chusing to quarrel with this resolute and powerful prelate; and the archbishop made him amends for his forbearance, by procuring him the grant of a tenth in the next convocation.

Whilst the king was busied in these transactions, he had received advice that the court of France resolved to take advantage of the troubles of the nation; and it appears by the Collection of Public Acts†, that the duke of Orleans was to make a descent upon England, whilst John, duke of Burgundy, who lost his father this year, was to lay siege to Calais. We cannot here forbear observing that, notwithstanding the truce confirmed almost every year by the two crowns, France never failed to shew a readiness to improve every advantage procured by the unsettled state of England, during this reign; but as Henry generally extricated himself from his domestic difficulties, that faithless court reaped little benefit from its violation of the faith of treaties. Towards the end of this year, however, the Bretons, under the earl of St. Pol, made a descent upon the western coasts of this kingdom, where they committed many ravages and burned the town of Plymouth to the ground. Henry complaining of this violation of the truce, and receiving only evasive answers from the French court, permitted the inhabitants of Plymouth and other places in those parts, to revenge the injuries they had received from the French. They accordingly equipped a small fleet, the command of which they gave to one William Wilford, who acted as an admiral, though without the royal commission, and had such success against the enemy, that he took forty of their merchant-ships, burnt several more, and, making a descent upon the coast of Brittany, burnt and plundered the towns, villages, and country for near twenty miles round.

We learn from Monstrelet, that about this time the duke of Orleans, one of the regents of France during the illness of its sovereign Charles VI. who had frequent returns of insanity, sent a letter of defiance to king Henry, reproaching him very hard with the murder of the late king Richard, and ill treatment to queen Isabella, during her detainer in England; and, after many bitter expressions, challenged him to single combat. Henry returned an answer to this, in terms full of resentment, and in particular denied the charge of his being accessory to Richard's death, offering to justify himself by his sword against the duke: but these kind of challenges seldom ever came to an issue; for, as Mr. Voltaire very justly observes, the blood of the subjects generally flows on such occasions: and, indeed, we find Henry entering a formal complaint at the court of France, both against the duke of Orleans and the earl of St. Pol, the one for his defamatory and abusive letters, and the other for his late hostile incursions.

On the fourteenth of January, 1404, the parliament was held at Westminster, in which sir Arnold Savage, who was by the commons chosen their speaker, first introduced the ceremony of modestly declining that honour, but he was forced to accept it‡. The case of the earl of Northumberland was

the

* Walsingham, p. 356.

† Rymer, vol. viii. p. 327, 336—382.

‡ Mr. Guthrie acquaints us (from the rolls of parliament, 5 Hen. IV. n. 8.) that this speaker in his request for freedom

the first thing taken under consideration by the house. That nobleman made his appearance before the parliament on the sixteenth, when he presented to the king a petition, imploring his clemency and the performance of the promise which he had made him at York †. Henry referred this petition to the judges, to be proceeded upon after the methods of common law: but the lords entered a protest against this reference, declaring, that in cases of treason, judgment belonged to them only. Then they took into consideration the charge against the earl, and adjudged his offence to be neither treason nor felony, within the statute of 25 Edward III.* but only a trespass, for which the said earl was decreed to make fine and ransom to the king. The earl, thus acquitted, petitioned that he might renew his oath of allegiance, which he accordingly did, by swearing upon the cross of Canterbury; and then the king pardoned him his fine and ransom; which was so agreeable to the commons, that they gave thanks to the king in full parliament, as likewise to the lords for their just and equitable judgment.

Thus ended this prosecution, the most extraordinary (says a modern historian), take it altogether, that we have in the English history. If ever any man was guilty of treason, by the common and statute law of England, the earl of Northumberland certainly was; for he had notoriously engaged in the late rebellion; and if the plan of it was not perhaps laid by himself, yet it gathered strength by his support: it was by his connivance and command that his son openly appeared in it; and he himself, at the very time of the suppression, was at the head of a body in arms to support it. Yet we here see a house of parliament taking under their cognizance the provocations which subjects may receive from government established by compact; we find them resuming the ancient powers of the Great Charter invested in them, of moderating the rigour of the law, of separating severity from judgment, of consulting the spirit of the constitution, of weighing the circumstances of conjunctures, of admitting the possibility of resistance without the implication of treason, and themselves becoming a living law for those purposes for which no dead letter ever could provide. Such were the generous uses which this house of peers made of its powers. They had seen the mad extremes to which privilege and prerogative had alternately driven matters in the late reign; and they regulated those powers, and provided a barrier against the wanton enjoyment of either ‡.

But this parliament did not think that they had completed the great work of restoring public tranquillity without abolishing animosities; at the request of the commons, therefore, the king com-

manded the earls of Northumberland and Westmoreland to be reconciled, as also the first of these noblemen and the Scottish earl of Marche; and they embraced each other in token of future amity and affection: at the same time the earl of Northumberland cleared archbishop Arundel, Edward, duke of York, and other noblemen, from having any concern in the late conspiracy, as had been maliciously reported concerning them; whereupon they were, in full parliament, declared by the king to be true and loyal subjects.

The parliament next petitioned, that, seeing the unsettled state of affairs between France and this kingdom, and the artifices and machinations made use of by the former to stir up animosities and dissensions between the king's liege subjects, in order to advantage itself of interior commotions in the realm, the king would be pleased to order that all foreigners who had been brought over by the new queen, late duchess of Brittany, might be forthwith sent out of the kingdom. This request the king granted with the best grace imaginable, permitting the queen to retain only eight of her foreign servants about her; and himself putting away his own confessor with two gentlemen of his bed-chamber, upon some complaints made against them by the commons, with this memorable declaration in full parliament, "That he would do as much by any, however near, about his royal person, if they should incur the hatred or indignation of his people."

The house next took under their consideration the state of the revenue and of the nation, and recommended to Henry an attention to œconomy, which was particularly necessary in the present state of his affairs; and that he would settle the establishment of his household. Henry gave satisfactory answers to all these petitions, and in particular restricted the charge of his house to ten thousand one hundred pounds a year. Before we take leave of this parliament and its proceedings, it may not be amiss to take notice of the first instance of that privilege, by which a member is protected from arrest or other actions at law, during the sitting of the house, and may himself protect his domestic servants from the like trouble; for a petition was now presented by the parliament, praying, that all such persons as shall arrest any knight or burghers of the commons, or any of their servants, and know them to be such, do fine at the king's will, and render treble damage to the party aggrieved." Which was granted.

Nothing now remained but to grant a subsidy. Walsingham, on this occasion, makes a heavy complaint against an oppressive and unusual tax, of which the authors were so ashamed, that they expressly provided it should not be brought into an

dom of speech to the commons, went farther than any of his predecessors had done: for he demanded that all censures for words spoke in parliament, should pass in parliament only; nay he even petitions for liberty to complain of the grievances of the king's own government. He made another request, that the lord chancellor should be ordered, in presence of the king and the parliament assembled, to recommend to the commons to assemble in their house by six o'clock, at latest, every morning during the session of the said parliament. I venture to put down these particulars, says my author, because they seem to mark the gradual progressions of the powers of parliament, so much overlooked by our historians. Guth. Hist. Eng. vol. ii. p. 413.

† As this petition is not to be found in any of our historians, except the last quoted, we shall, from him, give it in the very

words in which it was conceived.

"To my most dreadful and sovereign liege lord.

"I your humble liege, beseech to your highness to have in remembrance my comyng to your worshipfull presence into Yorke of my free will, be your goodly letters; where I put me into your grace, as I that myght have kept your lawys and statutz as leigeance asketh, and specially of gederins of power, and ziving of liveries; at that time I put me in your grace, and zit doe, ze seyinge (you saying), and hit like to your heignesse, that all graceless should I not go: wherefore I beseech zou that zour high grace be not fore on me at this tyme, and of all other thynges, which ze have examined me of, I have told you plainly; and of all I put mee holy in zoure grace.

* See p. 588. of this History.

‡ Guthrie, vol. ii. p. 414.

example =

example*: however, we learn from Mr. Carte, who takes it from the subsidy-rolls of this session, that the tax was only twenty shillings on every knight's fee (the half of which used to be formerly paid for scutage), and twenty pence of every one that had twenty pounds a year in land; and one shilling in the pound for money and goods, and so upwards according to that rate. And as to the proviso, he says it was in those times a customary form in all grants; in which assertion he is certainly warranted by undoubted authority.

I have been the more diffuse in this account of the proceedings of this parliament, as they give us a better idea of the constitutional powers of the king and parliament, than is to be found in most of our historians.

While the house was yet sitting the kingdom was alarmed by repeated attempts towards an invasion from France. A party of Bretons landed, under the lord de Chastel, near Dartmouth, where they committed some depredations; but the country people assembling, soon beat them back to their ships, with great loss; their leader, de Chastel, was slain, and three lords, with twenty knights, taken prisoners. Walsingham tells us, that the women of those parts signalized themselves on this occasion, by fighting with great bravery†. The enemy had no better success in another descent they made upon the Isle of Wight. The Welsh still continued their incursions upon the English borders, and with such fury, that no Englishman near those parts was safe upon his own estate. At last Glendour, who now publicly assumed the title of prince of Wales, had raised himself to such a degree of consequence, that Trevor, bishop of St. Asaph, joined his party, and declared against Henry, who probably would have been more active in opposing the insolence of the Welsh, had he not found work enough at home, through the intrigues of his own subjects.

Not all the severity which had been exercised against those who were infatuated with the false notions of Richard's being still alive, could wholly eradicate that prepossession, or prevent others from propagating the same improbable tale. About this time a rumour was again spread, that Richard was in Scotland; and one Serle, who had been a gentleman of his bed-chamber, was so curious to satisfy himself of the truth by paying a visit to his pretended old master; and, whether the person shewed to him so much resembled Richard that the other was deceived; or that, from motives of his own he thought proper to countenance the fiction, it is certain that he wrote word over to many people, that he had actually seen, and was then about the person of, the deposed monarch. The testimony of a man who could not be thought to be mistaken, produced so great an effect, that many suffered themselves to be seduced by the imposition. Among others, the old countess of Oxford (mother to the late duke of Ireland, who had been banished, and died abroad) believed, or pretended to believe, the story, and took incredible pains to spread it about; and to give it the better colour, she ordered a great number of silver badges to be made, with Richard's device, which was an hart, and sent them as presents, in his name, to all

whom she believed well affected to his memory: in fine, she and Serle were so incredibly successful in their scheme, both in the south and north of England, that Henry began to fear the consequences, and gave orders for seizing the countess of Oxford, with her secretary, who was in the secret. Some time after, Serle was seized on the borders of the North, and hanged at Berwick: as, before his death, he confessed the cheat, and that he was concerned in the death of the duke of Gloucester, his execution put an end to the report. The old countess, after a few months confinement, was, by Henry's order, set at liberty again.

As Henry suspected the earl of Northumberland of having favoured this cheat, he made a progress to Pontefract, where, on the twenty-seventh of August, he confirmed an agreement made with the earl, who thereby obliged himself to put into Henry's hands the town of Berwick upon Tweed, with Piercy castle, all the customs of Berwick, to the amount of five hundred marks per annum, together with the castle of Jedburgh and all its appurtenances: in lieu of which the earl was to receive an equivalent for himself and his heirs, or else to have the said castles and premises redelivered to him.

It doth not appear to what purposes the supplies, granted by the last parliament (which broke up in March), were employed; but Henry was already in such want of money, that he was necessitated to call another parliament this year, on the sixth of October. As, notwithstanding the seeming harmony which subsisted between the crown and the people in the last sessions, Henry could not forbear being uneasy at the dictatorial powers the commons had lately assumed, he resolved, on this occasion, to have a parliament to his mind, for which purpose he made use of a very extraordinary expedient; for in the writ which he now issued for the meeting of the parliament, which was to be held at Coventry, on the day above-mentioned, he ordered the sheriffs to return none as members "who had the least knowledge in law whatsoever." From hence this parliament took the name of *Parliamentarium indoctum*, or the *Illiterate Parliament*.

This famous session was opened by the bishop of Lincoln, brother to the king, and chancellor of England, who complained of the scanty aid granted to the king by the last parliament, and setting forth his great want of a farther supply. Upon this the members of the house of commons, the next day, presented a remonstrance to the king, setting forth, "That, without burthening his people, he might supply his occasions by seizing the temporalities of churchmen, and apply them to the public use." They moreover observed, "That the clergy possessed a third part of the lands of the kingdom, without doing the king any personal service, and that it was therefore but just they should contribute out of their revenues to the exigencies of the state:" adding, "that it was evident the riches of the clergy made them negligent in their duty; and the lessening their exorbitant revenues would be of real advantage, both to church and state‡."

The manner in which the king received this address plainly shewing that he was not averse to the proposal, Arundel, archbishop of Canterbury, who ma-

* Take his own words: "Concessores ipsi, & authores dicti tallagii, in perpetuum latere posteros voluerunt: nempe sub ea tantum conditione concedebatur, ne traheretur posterius in exemplum, nec fervarentur ejus evidentiæ in thesauria regia,

nec in scaccario, vel scriptum vel recordationes ejusdem protinus post datum computum cremarentur, P. 369, 370.

† Ibid. p. 372.

‡ Cotton's Abridgement. Rapin.

naged for the clergy, opposed the commons with great spirit: he shewed, "that the clergy had ever been more liberal of their properties than the laity had; that when the latter had granted a fifteenth, the clergy frequently gave a tenth; that though the religious, and most of the secular clergy perhaps, did not serve in the field, yet that they furnished out soldiers, and those well appointed and well armed, to serve in their stead; and, lastly, that, as clergymen and subjects, they were as useful in their stations as the laity themselves; and concluded with declaring, that he would have his head struck off rather than suffer the church to be deprived of her smallest right." This firmness staggered Henry: it had ever been his maxim to keep well the clergy, and therefore he thought proper not to irritate them on this occasion, and, suddenly changing his purpose, he answered the archbishop, that he blamed not his zeal, on the contrary he gave him his royal word that he would to his utmost protect the church, both in her properties and immunities, and that he would leave her in a rather better condition than that in which he had found her. The commons finding themselves disappointed in their demand by the constancy of the prelate, and the concession of the king, abandoned their whole project; and, on the twenty-eighth of November, they, with the assent of the lords, granted to the king two fifteenths and two tenths, the subsidy of wool, wool-fells, and skins, viz. of denizens, for every sack of wool forty-three shillings and four pence; the like sum on every two hundred and forty wool-fells; and for every last of skins, five pounds: of aliens, ten shillings more on every particular, for two years; and three shillings for every tun of wine passing and repassing the realm; and twelve pence on every pound of merchandize: on condition the same should not be employed but only for the maintenance of the wars and the defence of the kingdom. The clergy at the same time granted a tenth and a half tenth, on the like conditions*.

The ancient inheritance of the crown having been parcelled out in grants to private persons, the commons complained of such alienations, and not only advised a resumption, but enacted a statute, empowering the king to take, for one year, the profits of all annuities, fees, or wages granted since the reign of Edward III. excepting, however, from this resumption certain officers of state, justices, barons of the Exchequer, and other ministers of any of his courts of judicature. It was also decreed, that he should enjoy for the like term all the hereditaments alienated from the crown, except such as were granted to the queen and the royal family, or confirmed to the possessor by act of parliament. They also resolved that proclamation should be made, "That all such as have any patents granted since the fortieth year of Edward III. of any annual value, for life or years, do, on pain of forfeiting the same, bring them in by a day prescribed, to the end that such as deserve the same may have continuance, and the rest be revoked."

After these steps, on a petition presented to the house by the prince of Wales, they voted him one thousand marks per annum, for maintaining a body of men to defend the Welsh Marches: they recommended the king's sons, John and Humphrey, to their father for honourable preferment: they also,

in an address to the king, desired the duke of York might receive the arrears due to him for his services in Guienne; and that restitution might be made to Richard, brother to the duke of York, of some valuable jewels, which were in the hands of the late king Richard,"

Thus ended the remarkable parliament of Coventry, called the Illiterate Parliament, in which Henry's hopes had been greatly disappointed; for there is little room to doubt that, had he been, as he expected, supported by the house of peers, he would have rivalled the most arbitrary of his predecessors in the extension of the royal prerogative; but, as things stood, he made an artful turn, and prevented matters coming to a rupture between him and the clergy, who, as the archbishop threatened, would have had it in their power to have created him an infinite deal of trouble; for though all was seemingly quiet in the kingdom, about the beginning of the next year, 1405, a dangerous conspiracy was formed against his person and government.

The Piercys, notwithstanding their defeat at Shrewsbury, with the death of the earl of Worcester and Henry Hotspur, remained still in great power and credit with the public, and the earl of Northumberland acquired an additional esteem on account of the sufferings of his family. Thomas Mowbray, earl of Nottingham and earl-marshal, son to the duke of Norfolk, whom Henry, while only duke of Hereford, had accused of high treason, and by that means procured his perpetual exile, and Richard Scroope, archbishop of York, brother to the late earl of Wiltshire, whom Henry, when duke of Lancaster, had beheaded at Bristol, still continued to harbour an implacable rancour against that prince, and they soon found means to engage Northumberland in their party, who well knew, though he had obtained a pardon, he must never hope to recover his interest and confidence with his sovereign. These heads of the conspiracy were soon joined by the lords Bardolf, Hastings, Fauconbridge, and a great number of gentlemen of figure and fortune in their own countries. The earl of Northumberland in person took a journey into France and Scotland, in order to bring those two courts to support their schemes, and the encouragement he met with in this negotiation, gave such life to the conspiracy that a plan at last was formed for an insurrection in the North of England, a descent into Wales, and the siege of Henry's most important places in France: but Henry, either by his good fortune or prudent conduct, as easily suppressed this rebellion as the former.

It was in February this year, 1405, that he first discovered some ill design was forming against him, though without being able to detect the principal authors. The children of the earl of Marche, whom Henry kept as hostages (and whose father still remained in Glendour's hands), were suddenly conveyed out of Windsor castle, the place of their confinement, and were well upon their way towards the Marches of Wales, when they were all taken by Henry's scouts, and brought back again to their prison. The widow of the lord Spenser, earl of Gloucester, who was beheaded at Bristol, and sister of the duke of York, was seized upon suspicion of having procured their escape by employing a smith

* Claus. 5 Hen. IV. m. 4. Cotton's Abridgm. p. 438.

to make false keys to the apartments in which they were kept: the smith suffered death; and the countess, when examined before the council, to save herself, accused her brother, the duke of York, of having put her upon the attempt. The duke was hereupon put under arrest, and sent prisoner to Pevensey castle (in Sussex), and his estates confiscated; but in a short time, for want of sufficient proof, he was restored to his liberty and effects.

This attempt, however, gave a terrible alarm to Henry, who was apprehensive his enemies would form some new plot in favour of the earl of Marche; and as he knew Glendour was always ready to countenance the malecontents, he resolved to leave no means untried for reducing that rebel, who had lately been so successful as to get himself formally acknowledged prince of Wales by the French court, with which he treated on the footing of a sovereign independent prince, and had concluded a strict alliance with that court, offensive and defensive, against Henry of Lancaster, by sea and land. This treaty had been ratified at the castle of Llampader, in Cardiganshire, the twelfth of January this year.

Henry, apprized of all these proceedings, thought no time was to be lost, and accordingly sent his brave son, the prince of Wales, with a stout army, to reduce Owen to reason. The prince was not long before he entered the enemy's country, and, on the eleventh of March he forced them to a general engagement at Mynydd Pwlwellyn, in Monmouthshire, in which he totally defeated their army, consisting of eight thousand men, under the command of Griffith, the eldest son of Owen Glendour, who was himself slain on the spot, with upwards of thirteen hundred of his men, as appears by a letter wrote by the prince of Wales to his father, after the battle*. But this defeat was far from crushing the rebellion; on the contrary, Owen made fresh preparations for repairing his loss, and having by this time been made acquainted with the conspiracy hatching in the North, he entered into a treaty with the confederates, who were now ready to strike the blow they had so long meditated, and waited only to be joined by the earl of Northumberland; but that nobleman not being able to get his forces in time, and the conspirators having received advice that Henry had, by some means, gotten intelligence of their motions, and was secretly preparing to surprize them, they took to arms before Northumberland could join them; and the city of York immediately declaring for them, it had so happy an influence upon their affairs, that almost all who could bear arms in the neighbouring counties appeared in their quarrel. Upon this the archbishop of York drew up a manifesto against king Henry, which was posted upon the doors of the monasteries and upon the gates of the city of York. This manifesto ran in the name of the archbishop and all his adherents; and, after expressing by way of preamble, "the obligations they were under by their oaths to king Richard II. to bear faith and true allegiance to him as long as he lived, and to his heirs succeeding him by such title," it set forth the following nine articles of misgovernment and usurpation against Henry.

"I. That when he (Henry) arrived in England, he had protested and sworn that he came for no

other purpose but the recovery of his private estate, without having any pretensions to the crown, which he nevertheless usurped.

"II. That, like an arch-traitor, he had imprisoned his sovereign, compelled him to resign his royal dignity, and then put him to death in a barbarous manner.

"III. That, since the death of Richard, he had unjustly detained the crown from Edmund Mortimer, earl of Marche, to whom it lawfully belonged.

"IV. That he had unjustly put to death several persons of quality, who were guilty of no other crime but endeavouring to redress the abuses of the government, and, contrary to law, had imprisoned the bishops by his sole authority.

"V. That he had oppressed the people by unnecessary taxes, and intimidated them by threats from complaining of the grievance.

"VI. That he had violated the privileges of the nation, and broken the oath he had taken at his coronation, by encroaching upon the freedom of elections for members of parliament.

"VII. That in a parliament held at Winchester†, he had given his assent to a pernicious statute against the church of Rome, and the power conferred by St. Peter and his successors, in consequence of which statute simony, perjury, and other disorders, were introduced among the clergy as well as the nobility, who sold vacant benefices to unqualified persons.

"VIII. That, notwithstanding the repeated solicitations of his council, he had refused to pay the ransom of the earl of Marche; and evaded his just petition, by falsely charging that nobleman with having voluntarily surrendered himself prisoner to Owen Glendour dwy.

"IX. Lastly, For all these reasons, they (the archbishop and other noblemen and persons mentioned in the manifesto) declare the lord Henry of Derby to be a traitor to king Richard, and his heirs, pronounce him perjured and excommunicate, for taking up arms against that prince and murdering him; and, with regard to their own proceedings, affirm that these were the causes which induced them to take arms, with design to deliver the nation from the oppression of such a tyrant, and to seat the lawful heir upon the throne of England."

Ralph, earl of Westmoreland, with the lord John of Lancaster, Henry's third son, the lord Fitz Hugh, the lord Rivers, the lord Umfreville, with some other noblemen, being at that time appointed to watch the Scottish Marches, no sooner heard of this insurrection than they advanced with their forces, in hopes to take the revolted unprepared to make a defence; but they found themselves greatly mistaken, for when they came to Shipton Moor, about six miles to the northward of York, they found the archbishop and the earl of Nottingham there, with an army of seventeen thousand men, drawn up in excellent order ready to engage. Westmoreland perceiving the enemy out-numbered his followers, and seemed determined to conquer or die, altered his plan of giving them battle, and, according to Walsingham, who has been implicitly followed in his relation of this event by almost all our historians‡, resolved to defeat them by a stratagem; but the story of the trick he put upon

* Rymer's *Fœdera*, vol. viii.

† In the second year of his reign. See *Statutes at Large*, by Ruffhead, vol. i. p. 435.

‡ *Compl. Hist.* p. 292. *Rapin*, vol. iv. p. 162.

the archbishop, is so very full of inconsistencies, and so little agreeable to the character of that prelate, that we rather chuse, with Mr. Guthrie, to adopt the account of another old author (Ayton), who says, that the earl of Westmoreland sent a messenger to the archbishop of York and the earl of Nottingham, requesting a conference to propose articles of accommodation, to which these two chiefs of the insurgents consenting, when they came to discourse together, the earl of Westmoreland made them sensible that their affairs were quite desperate, and that they could have no manner of hopes of success against both armies, that of his own and the king's, which was on the road and within two or three days march of them; and that their only course was to throw themselves upon the king's mercy, by surrendering to himself and the lord John of Lancaster; which they accordingly did, and were conducted prisoners to York. It is very probable, that in the course of this conference, Westmoreland might have promised them, in the king's name, terms that he was not certain the latter would agree to; but, upon the whole, this story carries the greatest air of truth, especially when we consider that their certainty of the earl of Northumberland not being able to join them before the king's army should come, might induce them to close with Westmoreland's proposal.

Henry was at this time on the road to the North, and coming to Pontefract four days after, viz. on the third of June, ordered the liberties of the city of York to be seized. As soon as he arrived at Bishop's Thorpe, on the eighth of that month, he would have sir William Gascoigne, chief-justice of England, try archbishop Scroope for high-treason, and pass sentence upon him; but this judge, absolutely refused, telling the king that, by the constitution, neither his highness, nor any person in virtue of his commission, could be authorised to sit upon the life of a bishop; but Henry, who feared if he brought him to a trial by his peers, he would slip through his hands as Northumberland had (with whose case his was similar), resolved to satisfy his revenge in another way, and issued a commission appointing sir William Fulthorp to try and pass sentence upon the archbishop and the rest of the conspirators; in consequence of which the archbishop, with the earl-marshal, sir John Lamplugh, and sir Robert Plumpton, were, the day after Whitsunday, carried in a most ignominious manner to the place of execution, where they all suffered, especially the archbishop, with exemplary constancy and resignation, persisting to the last in justifying their undertaking. This was the first instance of a bishop suffering death in England upon the sentence of the civil judges; and the pope was so incensed at it, that he excommunicated all who had any hand in the death of the prelate, and it cost Henry large sums of money to procure absolution.

After these trials and executions were over, Henry's chief attention was to get the earl of Northumberland into his power. With this view he set out, at the head of his army, now consisting, by its junction with that under the earl of Westmoreland and the lord John of Lancaster, of upwards of thirty-seven thousand men, and, entering Northumberland, advanced towards Berwick, where the earl had shut himself up, upon hearing of the fate of the archbishop and his friends: the king, in

his way, took the castles of Warkworth, Alnwick, and several other places belonging to the earl; but when he came to Berwick, he learned that nobleman had, on his approach, retired into Scotland, together with his grandson and the lord Bardolf, with some others of his principal friends. Henry, while he stopped at Durham, gave orders for the execution of the lords Hastings and Fauconbridge, sir John Colvil of the Dale, and sir John Griffith, who had been found in arms under archbishop Scroope. Henry having entered Berwick, remained there to rest his troops; but they were again called into the field by the perfidy of the French, of whose proceedings it is now necessary to take a review.

In consequence of the treaty which the duke of Orleans, who governed that kingdom, and who paid no regard to the truce subsisting with England, had entered into with Owen Glendourwy, he sent the constable d'Albret and the count d'Armagnac, in the spring of this year, with an army into Guienne, where they reduced sixty places belonging to the English. The duke himself made an attempt upon Bourg and Blaye, the duke of Burgundy resolved to undertake the siege of Calais, and, in order to facilitate the enterprize, the count de St. Pol attempted to surprize the castle of la Marck; but he was repulsed by the garrison of Calais, even after he had made a lodgment in the court-yard of the castle. An armament was also fitted out, in order to make a descent on Wales and join Owen Glendourwy, which was ready to put to sea just as Henry had finished his expedition into the North. The command of this fleet was given to the marshal de Montmorency, who, sailing from Brest, landed, on the fourteenth of July, at Milford Haven, with an army of twelve thousand men, joined Owen Glendour, and they marched together and took Caermarthen, Worcester, and several other places in that part of the country, making a prodigious booty.

Henry, though just come off from a fatiguing expedition, no sooner received intelligence of the descent of the French, than he drew his troops out of their quarters, and marched to defend the borders and give the invaders battle; but he was so retarded by bad weather and other accidents, that he could not come up with them before they had retired to their own country, and the French had reembarked for the continent; and having lost the greatest part of his baggage in the march, and the season continuing very inclement, he, with great difficulty, retreated to Worcester, from whence he, by slow marches got to London about the latter end of October. The French, however, did not come off without some loss on their side; for out of one hundred and forty sail of ships which they brought over with them, between thirty and forty of them were burnt in Milford Haven by an English fleet under the lord Berkeley and Henry Pay, a sea-officer, while the French were, in conjunction with Glendour, ravaging the country.

The earl of Northumberland, after his flight from Berwick, was received in Scotland by the lord Fleming, a nobleman of great interest, who gave him a powerful support; but an event which happened soon after, obliged Northumberland to seek another asylum.

Robert III. continued still so weak and infirm, that his brother the duke of Albany, was encouraged to contrive and execute the most execrable treasons

treasons against his family and government. On pretence of some irregularities, he had extorted an order from that simple monarch to confine his eldest son, David, prince-royal of Scotland, in the castle of Falkland, where that unhappy prince was starved to death by his inhuman uncle. How cautious soever the latter was to conceal the barbarous action, Robert was informed of it; but the murderer being too potent for justice, Robert durst not attempt revenge, but, to prevent any future event of this dreadful nature, he resolved to put James, now become his eldest son, out of the reach of his treacherous brother. With this view he ordered the young prince's governors, the earl of Orkney, and the bishop of St. Andrew's, to convey their illustrious pupil to France, where his family had always found an asylum in their misfortunes. Unfortunately, the ship in which the prince was going over, fell into the hands of the English, who conveyed the young prince, who was then in the fourteenth year of his age, with his two governors, to court, when Henry ordered James to be lodged in the Tower, in violation of the truce that still subsisted between the two nations, and of the rights of hospitality, to the benefit of which his unhappy father had recommended him by letters to Henry, in case the prince should be driven into any port of England by stress of weather. The wretched father died within three days after he received this melancholy news, and the duke of Albany took upon himself the regency during the imprisonment of the young prince to whom the crown was devolved.

This accident rendered the Scots extremely cautious of offending the court of England, and it was resolved to dismiss the earl of Northumberland and the rest of the English rebels from protection in Scotland, upon which the earl was obliged retire to Wales, from whence he got over to France.

It now remains to give a summary account of some few remarkable events which distinguished this year, and could not be properly introduced in their order of occurrence.

A treaty of marriage having been concluded between Henry's second daughter, Philippa of Lancaster, and Eric, king of Denmark, the young princess was sent over in July, to take possession of her new dignity.

This year also, on the third of October, the king made a grant to sir John Stanley, of the Isle of Man, the possession whereof remained in that noble family (honoured, in the first year of Henry VII. with the title of earl of Derby) till lately, when it fell to the duke of Athol*.

All the disturbances within the kingdom of England being now suppressed, Henry convoked a parliament at Westminster, on the first of March, 1406, and as he stood in great need of a supply, he readily gave his assent to several petitions of the commons, presented to him by sir John Tiptoft, or Tiptoft, whom they had chosen their speaker, and in particular to one for securing the freedom of elections; and accordingly it was enacted, "That at the next county holden after the delivery of the writ of parliament, all there present, as well suitors summoned for the same cause as others, shall attend

to the elections of the knights for the parliament; and in the full county they shall proceed to the election freely and without affection or partiality, notwithstanding any request or commandment to the contrary: and after they are chosen, their names shall be written in an indenture, under the seals of all them that did chuse them, and tacked to the writ of parliament, which indenture shall be holden for the sheriff's return of the said writ†."

As soon as this act had received the royal assent, Henry demanded an aid of money; but was plainly told there was no occasion for it; nay, the speaker, Tiptoft, who seems to have indulged himself in an extraordinary liberty of speech, flatly told the chancellor, who addressed the house in the king's name, "that the very reasons alleged for procuring a supply, were rather grounds for the just complaints of the commons against the administration: such were the loss of ninety-six castles and towns, in the last year, in Guienne, and the imminent danger of the rest; the loss of a great part of Ireland, though there had never been greater sums given for its defence; the bad condition of the Marches bordering on Scotland, though the grant of supplies for their defence were much greater than usual; the rebellion of Wales, which still continued unsubdued, to the ruin of many gentlemen's estates in the borders of that country, though the people had been impoverished by the heavy impost and charge laid on them for carrying on the war against Glendourdw and his followers." He concluded with observing, "that the commons lamented the general poverty of the nation, and desired a remedy in those cases, and a better government; as likewise that some œconomy might be observed in the expences of the royal household, which were much higher than in the reigns of former kings, and yet increasing daily, though there were no considerable nor sufficient persons therein, it being for the most part filled with a set of worthless people; and therefore prayed that a council might be chosen, consisting of the archbishop of Canterbury and other lords of parliament, by whose advice and consent all the executive parts were to be transacted, and an oath imposed upon them for the better discharge of their duty; for their trouble in which they were to have reasonable salaries allowed them."

The next head of parliamentary business which happened this year related to the navy: for it having appeared, upon examination, that the money granted last parliament for the defence of the kingdom by sea, had not been appropriated to the purposes for which it was voted, and that the royal navy was in a ruinous condition, a motion was made, "That a contract should be made with the merchants of the kingdom, that they should have the custody of the sea from the first of May, next ensuing, to the feast of St. Michael that same year, 1406, and from that time till Michaelmas 1407; that they should provide, at their own expence, one thousand seamen and two thousand marines. For these charges they were to have, upon account, twelve pence upon every pound (ad valorem, I suppose) of merchandize, three shillings on every tun of wine, and the fourth part of the subsidy of

* Who, on the decease of the late earl of Derby, succeeded thereto, and also to an English peerage (by the title of baron Strange of Knockyn), in right of his grandmother, a daughter of the house of Derby, in whose male issue they were settled. The frequent complaints of that Isle's being a receptacle and

conveyance for run goods, by which the revenue has been considerably injured, has, it is said, induced the crown to think of purchasing it, and annexing it to some of the northern counties.

† See Ruffhead's Statutes, vol. i. p. 269.

wool, wool-fells, and skins, granted in the last parliament. It was farther provided that the merchants should have privy-seals for raising the said sums; that the property of all captures they might make should be vested in themselves, but that the king might have a power of giving commissions to two admirals, who were also to be nominated by themselves, and were to have a proportionable share of the prize-money. Farther it was provided, that if the king should think proper to fit out the royal navy, or to conclude a final peace, which might render the service of the merchants needless, he was to give them timely notice thereof, and they were to be allowed all reasonable charges for their service*."

Mortified as Henry must naturally be at so many tokens of the distrust of this parliament, and still more at their refractoriness on the head of supplies, he had many reasons to dissemble his discontent: he thought his best course for breaking this spirit of reformation and complaint, was to tire the members out by a long attendance in parliament, in those days an intolerable grievance to the constituents, who were obliged to support their expences during their being on such service; and no less irksome to the members themselves, whose family-affairs frequently suffered considerably during their absence from their estates. He had already adjourned the parliament from the third to the twenty-fifth of April, and then from day to day to the eighth of May. He now continued the sessions till the latter end of December, and then they voted a supply, but under such restrictions, that Henry could not touch above six thousand pounds for his own use, the rest being appropriated to public services. During the former part of this latter session, Henry had procured a statute to be enacted, entailing the crown upon his sons and their male issue, by which flagrant act of injustice the rights of all females, or their descendants, to the crown of England, were entirely cut off; but the house becoming duly sensible of the ill effects that might arise from this deviation from the usual course of succession, the act was afterwards, on the twenty second of September, repealed, which repeal is signed by all the peers, spiritual and temporal, and by the speaker in the name of the house of commons.

The clergy were particularly active in this parliament against the Lollards, and obtained a most iniquitous and tyrannical edict against them, namely, that every officer or minister whatsoever, might apprehend and enquire of (that is prosecute and pass sentence against) such Lollards, without any other commission; and that no sanctuary should protect them." Neither did their reverences forget themselves; for, among other advantages, they obtained that no commission for arraying or levying of men should concern them, nor should they be subject thereto, as in the time of the late king Richard: in return for this indulgence, they granted the king a new subsidy on stipendiary priests, mendicant friars, and chantry priests, at an assessment of three shillings and four pence per head. At length, on the twenty-second of December, this parliament broke up, after having sat above nine months.

The refractoriness of the parliament was not the only thing that gave Henry uneasiness this year,

for the French attempted another descent on Wales, to favour the operations of Owen Glendour; but being overtaken by a terrible tempest, the greatest part of their fleet perished, and the remainder returned to Brittany in a shattered condition. The Scots likewise threatened an invasion of England, in revenge for the detention of their young king. To provide against these exigencies, Henry found himself necessitated to enter into a twofold treaty with those courts; a match was proposed between the prince of Wales and one of the daughters of France; but the proposal seems to have met with little regard from the French: and as to the Scots, the now governor of that people (the duke of Albany) seemed as little pliable; however, it was at length agreed that the truce between the two kingdoms should be continued for one year longer, and that a stop should be put to the hostilities already begun by the Scots on the borders. Henry also made a treaty with the duke of Burgundy, as earl of Flanders, by which a kind of tariff of trade was to subsist, notwithstanding any war that might be between France and England.

This year is remarkable for the death of the famous sir Robert Knolles, who had acquired so much military reputation in the reign of king Edward III. In the beginning of this reign he was seneschal or governor of Guienne; but afterwards, being weary of a life of too much hurry and action, he came over to England, and retired to his manor of Scene Thorp, in Norfolk, where he died, in a very advanced age, on the fifth of August, and was buried in the church of the White Friars, in London, which he had newly built. He likewise built the stately stone bridge at Rochester; and founded a college for secular canons at Pontefract, in Yorkshire†.

In the year 1407, the French still continued to support the Welsh rebellion, but the vigilance of the prince of Wales prevented them from effecting any thing of consequence; and the English, the summer before, had taken the castle of Llam-pader, belonging to Owen Glendour; and in the spring of this year they greatly distressed the French navigation under the command of one of their admirals, Henry Pay, who took no less than one hundred and ten of their ships, belonging to Rochelle and other ports, all of them richly laden.

This year was ushered in with several symptoms of disaffection among the people, by certain persons having the boldness to post up, in several places in London, papers intimating that Richard was still living, and preparing to enter the kingdom with a powerful army to recover his rights, in which enterprize his faithful subjects were invited to assist him. Only one poor wretch was seized, and hanged on this account, without any discovery being made of who had set him to work, which neither the fear of punishment, nor the hope of reward, could extort from the resolute sufferer.

On the tenth of June, the young king of Scotland, and Owen ap Glendour, a son or brother of the Welsh chieftain, who had fallen into the hands of the prince of Wales, were removed from the Tower of London to Nottingham castle. Henry was by this time so reduced in his finances, that he was constrained to borrow money of several private persons, at a great interest, to pay the garrison of

* Rot. Parl. 7 Hen. IV. Cotton's Abridgm. p. 421, 453.

† Dugdale, vol. ii. p. 412. Walsingham, p. 576.

Compl. Hist. p. 294.

Calais, who, on account of the long arrears due to them, threatened to rise and deliver the town to the French.

This year the city of London was visited with a terrible plague, which swept away thirty thousand inhabitants, so that the king quitted the capital and removed the court to Gloucester, at which place he summoned a parliament on the twenty-fourth of October, which granted him a subsidy, but not till they had obliged the king to enforce their privilege by passing an act, providing, "That in all parliaments in absence of the king, it shall be lawful, as much to the lords by themselves, as to the commons by themselves, to debate of all matters touching the realm, and of the remedies, and not to disclose the same to the king before a determination thereof be made, and that by the mouth of the speaker." This seems to have been owing to the great danger the kingdom was in of being deprived of its head by an accident which had like to have befallen the king (not without some suspicion of treachery), and from which he had a very narrow escape; for having taken shipping at Queenborough, in the Isle of Shepey, to pass to one of his seats in Norfolk, he was attacked by a squadron of French privateers which lay in the offing, who took four of his ships, and carried away sir Thomas Ramstone, the vice-chamberlain, with all the king's baggage that was on board those four vessels, and would certainly have made themselves masters of Henry's person had he not been timely relieved by the appearance of some of his men of war.

Many negotiations were entered into in the course of this year between the English and French courts, but to little purpose, save the concluding a few months truce for Guienne.

The earl of Northumberland and the lord Bardolf being by this time heartily tired of the fugitive life they had been obliged to lead after the defeat of their friends in the North, made an irruption into these parts, in hopes of being able to recover their possessions, in which the French promised them a powerful assistance; but they found the country in such a posture of defence as rendered all their endeavours abortive for this year.

The year 1408 proved an æra of ruin and confusion in France, which proved of great consequence to England. To enhance the misfortunes of the former of these kingdoms, its monarch (Charles VI.) had some intervals of sanity, otherwise proper provision might have been made for the government of the nation; thus the little share of reason he enjoyed proved more fatal than even his phrenzy*: the estates were never assembled, nor was the least regulation made in the public administration; the king still continued king, entrusting his despised authority, and the care of his person, sometimes to his brother, the duke of Orleans, and at other times to his uncles, the dukes of Berry and Burgundy. It was still a farther addition to the misfortunes of the state, that these princes had very considerable properties in the kingdom, and in course Paris became the theatre of a civil war, sometimes privately, sometimes openly carried on; factions prevailed every where, and whichever of them had the upper hand, never let slip any opportunity of hanging, murdering, or burning all of the opposite party, so that no person was sure of his life for a day to-

gether; they fought in the streets, in the houses, in the fields, and even in the churches. At length, the duke of Burgundy caused his cousin, the duke of Orleans, to be assassinated in the Rue Barbette (a street in Paris); the king had neither understanding nor power enough to bring the aggressor to justice: however, the duke of Burgundy thought it necessary to procure letters of pardon, after which he came to court, and triumphed in his execrable deed. He assembled all the peers of the blood, and great men of the nation, and, in the presence of them all, by the mouth of his lawyer, who was also a divine, not only justified the murder of the duke of Orleans, but likewise attempted to establish the doctrine of homicide on the authority of holy writ, which abounds with examples of the like assassinations. Thus did this impudent civilian and divine, pervert the laws, both human and sacred, to erect into a doctrine what the Scripture delivers to us only as events, instead of acting agreeable to the duties of his calling, by instructing his hearers to look upon a murder related in holy writ as detestable as if found in the annals of savages, or in the times we are speaking of, which were more than savage †.

But our king Henry improved this dismal incident so well, that he was courted by both factions, and he concluded a very advantageous treaty of commerce with the duke of Burgundy, by which a free communication was opened between England and Flanders, from the ports of Winchelsea and St. Valeri, which communication and intercourse was to continue for three years, even though the truce, which had been concluded for that term with France, should be broken and open war declared between the two crowns.

The earl of Northumberland finding that the assurances of assistance he had received both in France and Scotland were not likely to be fulfilled, on account of the unsettled state of those two kingdoms, resolved to depend upon his own friends and followers in the North; and accordingly coming to them in the spring of this year, attended by the lord Bardolf, the faithful companion of his fortunes, and a small body of Scottish freebooters that he had engaged in his service on the borders, he quickly found himself at the head of a considerable force, by whose assistance he retook several of the castles which had been reduced after the battle of Shrewsbury. The success with which this rising was attended, alarmed the government, and orders were issued for raising an army against the rebels, who were by this time come to a formidable head, and had appointed Thirsk, in Yorkshire, for the place of their rendezvous. While the court was making levies to oppose the earl, which went on but very slowly, owing to the king's constant want of money and still greater poverty of credit, sir Thomas Rokesby, sheriff of the county of York, thought it his duty to raise a force in readiness against the king's coming, and at the same time to endeavour to stop the progress of the malecontents: the earl of Northumberland was no less desirous to come to an engagement, thinking that, if he could rout the sheriff, he should not only disappoint Henry of so essential a reinforcement, but that this success would engage the city and county of York to declare in his favour. With this view he marched to

* See p. 648, of this History, note *.

† This lawyer's name was John Petit. See Voltaire's Gen. Hist. vol. iii. p. 5.

meet Rokesby, an engagement ensued, on Beaham Moor, near Horielwood, in which the rebels, after an obstinate resistance, were at last routed, notwithstanding they had greatly the superiority of numbers. The earl of Northumberland was slain on the spot, and the lord Bardolf taken prisoner, but so mortally wounded that he died in a few days: the abbot of Hales, being taken in armour, was hanged; but the bishop of Bangor, who, it seems, had joined the party, though taken, was pardoned, because not found in armour.

Thus died Henry Percy, earl of Northumberland, once the great friend, afterwards the bitterest enemy of Henry of Lancaster; and by his never-ceasing endeavours to tear from his brow that crown he had placed there, at the expence of his own honour, effectually cancelled all the merits of his former services. His head and that of the lord Bardolf were, by Henry's order, sent to London, and fixed upon the bridge, where already stood that of Hotspur Percy, the son of this restless earl.

The English navigation suffered greatly in the beginning of this year by French pirates; but these were at length wholly destroyed by the English fleet under the command of the earl of Kent, who, finding that their chief nest was in Breac, a port on the coast of Brittany, sailed thither, and burnt or took all their ships.

Numberless persecutions were now raised against the Lollards, as they were called, all which were countenanced or commanded by Henry, on pretext that they had been instrumental in exciting the several insurrections that had disturbed his reign; but his real motive was to ingratiate himself by this severity with the clergy, who always assisted him with their purses upon any particular exigency. Nevertheless, the most sensible part of the nation pitied their sufferings, and even gave attention to their doctrine, which chiefly turned upon the great necessity of a reformation in the church. The effects of this disposition will soon appear.

The frequent ratifications of the truce not hindering the French from making continual attempts upon England, Henry was forced at length to be content with concluding a new truce for Picardy and Guienne, from the thirtieth of September this year, 1408, to the first of May, 1410: Poictou was expressly included, because the French deemed that province to be held of Guienne.

In the year 1409, a misunderstanding, on what account is not known, happened between Henry and the Scottish earl of Marche, who renounced his allegiance to the English crown, and returned to his native country. The truce with Scotland, which had been prolonged from Easter 1408, to Easter 1409, expiring this year, the Scots of Tiviotdale took and demolished the castle of Jedburgh, which had been a considerable time in the possession of the English.

Such were the chief transactions of the years 1408 and 1409; but Henry had the satisfaction, towards the end of the latter year, to find himself rid of a formidable enemy by the death of Owen Glendourdy: by this happy event Henry was delivered from all his domestic foes: and this prince who ascended the throne by such unjustifiable me-

thods, and possessed it by such a precarious title, had yet, by his prudent and spirited conduct, established a greater ascendant over the barons than any of his predecessors had ever enjoyed.

The year 1410 was opened by a parliament, which met on the eleventh of January, at Westminster, the capital being now wholly freed from the late pestilence. This parliament, according to Walsingham, possessed in a more eminent degree that levelling principle by which the Illiterate Parliament, though disappointed in its designs, had been distinguished; for, after the cursory business was over, such as making out commissions for trying some of the late rebels taken in arms, providing for the security of the kingdom, by ordering the Marches of both Scotland and Wales to be strongly guarded, and other the like matters, the commons presented a petition by their speaker, sir Thomas Chaucer, setting forth the exorbitant riches and power of the bishops and other clergy, and the immense sums spent by them in useless grandeur and idle parade: they beg leave to suggest an expedient to his majesty, for making those riches, which were then centered in the hands of a few inactive members of the community, of general benefit to the whole. This expedient was no other than that of taking away the estates of bishops, abbots, and priors, and converting the same to the providing for fifteen earls, fifteen hundred knights, and six thousand two hundred esquires, to be now created, and to the founding and endowing one hundred new hospitals: all which, say the commons in their petition, may be well and comfortably maintained out of the estates that are now spent in maintaining pride and luxury, to the great advantage of the crown and kingdom*. They likewise petitioned for a repeal of the late heavy statute against the Lollards, on account of the many palpable abuses that had been made of the same, as avarice or revenge prompted one neighbour to endeavour the ruin of another. To both these petitions the king (still the champion of the clergy) gave a negative, saying, "he would be advised."

This parliament did nothing more of consequence, except granting him a supply, of which, as before, only a small sum was left at Henry's disposal, the remainder being entrusted to commissioners (who were to find security for the faithful discharge of their trust), for the sole purposes of defending the kingdom.

Toleration was never the characteristic of the Roman catholic religion; and the attempt lately made by the commons against the temporalities of the clergy had not contributed to inspire that body with a spirit of greater forbearance: they knew that Henry was too much of a politician to suffer his conscience to stand in the way of his interest; of this he had given them several convincing proofs, particularly at his first accession to the throne, when, to please them, he had delivered up to the secular arm William Sawtree, rector of St. Osithe's, in London, who atoned for his principles of Lollardism by the penalty of fire, and was the first instance of this kind in England. This new horror was now revived on the following occasion: one Badby, a taylor, having, with an absurd zeal,

* The commons affirmed in this bill, that the temporalities of the clergy amounted to three hundred and twenty-two thousand marks, and that several monasteries possessed as much as would suffice to find fifteen thousand priests, at a stipend of

seven marks a year each. With this bill, a remonstrance was brought in by sir John Oldcastle, lord of Cobham, which drew upon him the hatred of the clergy, and ended at last in his destruction. Tindal upon Rapin.

declared publicly against the real presence in the sacrament, was singled out by the clergy for exemplary punishment, in order to curb that spirit of reformation which was daily gaining ground. The king having signed the warrant for his execution, the prince of Wales had a mind to be present at his suffering; but the poor wretch sent forth such piercing cries when the flames reached his body, that the prince, struck with compassion, ordered the fire to be extinguished, and promised him not only a pardon, but to grant him a pension for the remainder of his days, provided he would recant. The man, however, more tenacious of his opinion than of life, refused to comply with the condition, upon which the fire being lighted up again, he suffered without giving any farther signs of weakness. This execution, which happened while the parliament was sitting, did not a little displease the commons, who, considering it as an aggravation of the king's refusal to comply with their petition relating to the clergy, could with great difficulty be brought to vote him a supply.

The prince of Wales, who was now in the full vigour of youth, and of an active sprightly spirit, being destitute of any military employment, ran into several juvenile excesses, which gave Henry great uneasiness. He is said, among other pranks, to have disguised himself in a mean habit, and, with some of his riotous companions, to have laid in wait for the receivers of his father's revenues, who he attacked upon the highway and robbed of the money they were carrying to the treasury. In these encounters he sometimes was very roughly handled; but he never failed to reward those officers who made a brave and obstinate resistance. An incident of a more serious nature, however, fell out towards the end of this year, which gave Henry an opportunity of shewing a regard to justice and the rights of the people, even against his own son. This prince, having been revelling all night, at a house to which he constantly resorted with his companions, in Eastcheap, sallied out at the head of his myrmidons by day-break, and beat up the quarters of several eminent merchants in the city, whose houses were broke open by his servants and attendants, to the great terror of the masters and their families; who at length, mustering their neighbours, fell upon the prince and his party, without knowing, or at least pretending not to know, the quality of the aggressor, and gave them all a sound beating. The prince, contrary to his usual custom, resented this so far as to carry his complaints to his father; who, having caused the citizens to be called before him, gave both sides a patient and equitable hearing, which turned out so much to the advantage of the city, that Henry dismissed the persons complained against with an approbation of, and even thanks for, their spirited conduct.

Early in the spring of 1411, Robert de Humphreville, or, as it is written in the records, Umfreville, a relation of the English earl of Angus, and at that time vice-admiral of England, brought no small honour to the English arms by sea. This gallant commander undertook, with ten ships only, to destroy all the naval force of Scotland (with whom the late truce was expired), and performed his engagement with surprising success; for he entered the firth of Edinburgh with his small squadron, and not only destroyed all the ships of war he found lying in the several harbours, but al-

so a great number of merchantmen, reserving only fourteen, which he took away with him, as prizes, loaded with drapery goods and grain. The latter of these articles proved so seasonable a supply to England, which at that time was threatened with a grievous scarcity, the effect of the late plague, that the admiral obtained from this exploit the name of Robert Mendmarker. The English were also very successful this year in suppressing the French and Flemish pirates, with which the Narrow Seas were terribly pestered: this good piece of service was performed by two sea commanders, Pendergast and Long, who, for all their reward, were thrown into prison upon their return from this successful cruise. The motives for this extraordinary conduct in Henry towards two officers, who had so bravely distinguished themselves in the service of their country, remains unaccounted for by any of our historians.

The young Scottish monarch, James, continued all this time in confinement in England; but though Henry, by detaining him, was guilty of a breach of all the laws of nations, yet he in some measure compensated for that crime, by giving the young prince an excellent education, which qualified him, when he ascended the throne, to soften and civilize the rude and barbarous manners of his subjects. Henry, sensible of the great importance of the acquisition he had made of the person of James, had resolved to keep this valuable pledge in his hands, thinking he could thereby overawe the Scots into a passive compliance with all his measures; but finding that there was no curbing those people by force, nor frightening them by the apprehension of consequences, into a peaceable humour, he thought it best to cut them out work at home. With this view he entered into engagements with Donald, lord of the Isles, a petty prince, who affected a power independent of the crown of Scotland, and who was treated by England on the footing of sovereignty. This toparch having, on some occasion, a misunderstanding with the duke of Albany, the Scottish regent, on matters foreign to this history, Henry espoused his cause, and concerted a scheme with him for raising a rebellion in Scotland, which, for some time, gave that court no small uneasiness; but the French, taking up the cause of the Scots, warmly engaged Urban, one of the antipopes (for the great schism at the court of Rome still subsisted), to publish a bull of excommunication against all who should offer to foment a rebellion in Scotland, on any pretence whatsoever, in which Donald was particularized by name. The publication of this bull had a great effect in favour of the Scots; and Donald, finding himself but faintly supported by Henry, made his peace with that government. Thus this project of the king of England ended only in rendering himself hateful in the eyes of all Europe for his dishonourable proceedings in fomenting a rebellion in the kingdom of a brother monarch.

We have already seen how John, duke of Burgundy, assassinated the duke of Orleans, brother to Charles VI. and, avowing the fact, had credit enough to procure a pardon; as also the advantage that the court of England took of that incident. Henry, who had constantly an eye to a peace with France, formed a design to marry the prince of Wales with one of the daughters of the duke of Burgundy, whom he thought to be firmly estab-

lished in his power; but such a change of affairs ensued in France as make him alter his mind: however, great part of this year, 1411, was spent in negotiations with that court, which ended at length in prolonging the truce for five years; at the same time another was made with the court of Castile, till the year 1413; and with Brittany for three years†.

In the month of November, this year, a parliament was held at Westminster, in which several attainders were reversed; and, upon the whole, both houses met in a very good humour, and were so well pleased with the king's proceedings in regard to the court of France, of whose commotions he had taken every possible advantage, by alternately assisting the weakest faction against the strongest; as also with the treaties that he had concluded, that they publicly gave him thanks for the same. But the most important business of this parliament was the affair of the coinage, which was now put under a new regulation, that effectually put a stop to many terrible abuses which had been practised in relation thereto, by the introducing of false and base money, all which was now called in, and a certain discount was allowed upon the recoinage*. Several provisions were likewise made in this parliament for more effectually keeping the peace, and suppressing riots and rebellions; and a general pardon passed the great seal to all offenders, except murderers and ravishers. Before the rising of the houses, they granted the king a handsome subsidy, and both the crown and people seemed to be upon very good terms with each other.

The English traders in Bergen having been cruelly used by the merchants of the Hanse Towns, the king, upon receiving complaint thereof, ordered the particulars to be drawn up, and laid before the council and magistrates of Bergen, and a formal demand of justice within a day and a year to be made; in the mean time an embargo was laid upon all the shipping of the Hanse merchants within England. This brought the aggressors to reason, who, sending over deputies to make excuses for what had already passed, and to give assurances that the subjects of England should not, for the future, receive any molestation, the affair was compromised.

This year concluded with several new creations of noblemen: the lord Thomas of Lancaster, lord high-steward of England, was made duke of Clarence; John, another of the king's sons, was made duke of Bedford; as Humphrey, another son, was duke of Gloucester; and Henry's brother, earl of Dorset.

The year 1412 presented a new face of affairs in France with regard to the English interest there. Charles, who was mad, now recovered his health and senses from the long oppression they had lain under, but was still surrounded by the duke of Burgundy's creatures, gave himself up more than ever to the government of that prince, and declared himself in the most inveterate terms against

the Orleans party; these were the duke of Orleans, son to the assassinated prince, the dukes of Berry, Bourbon, Alençon, the count of Armagnac, and the lord d'Albert; who seeing themselves unable to withstand the duke of Burgundy, who had the king and all the royal family in his power, came to a resolution to strengthen themselves by an alliance with the king of England: and accordingly they sent certain deputies to Henry, to offer him the restitution of the duchy of Aquitaine in its largest extent, with all its rights and privileges that his family had ever enjoyed there, provided that he would support them with his power, and break off his connections with the duke of Burgundy.

Hitherto the last-mentioned prince had evaded Henry's proposal of marrying the prince of Wales to one of his daughters; but upon information of this step taken by the Orleans faction, he thought proper to make some advances to Henry, and actually sent ambassadors to England, in the month of February, to propose the conclusion of the match, with other terms that he thought most likely to engage Henry to espouse his cause. The English monarch received the ambassadors at Rochester with the greatest politeness, and even seemed to lend a willing ear to their proposals; but it was only to keep the Orleans party upon the alarm, and procure better terms from those with whom he really intended to make an alliance. This dissimulation, however, did not long stand him in stead, for the duke of Burgundy coming to the knowledge of his true designs, by means of some papers intercepted upon a courier, set the whole affair in such a light to Charles, that the latter, exasperated beyond measure against the confederate princes, resolved to punish them and the king of England, and ordered the oriflame, or royal standard of France, to be displayed as a signal for his subjects to follow him personally into the field; and, soon after Easter, he put himself at the head of his army, in order to penetrate into Guienne, and lay waste the estates of the confederate princes in that county. He made a successful progress in the beginning of the campaign, having seized Yssudun, Dunleroi, and several other places; but, while he was thus employed, he received intelligence of the alliance between the princes and Henry having been actually concluded, on the eighteenth of May, and that the same had been made public on the eighth of June following.

The articles of this treaty, as we have them in Mr. Rymer's Collections (vol. viii. p. 738.) stood thus.

I. The confederate princes bound themselves to give up to the king of England about fifteen hundred towns, castles, and bailiwicks, which they held in Guienne or Poictou, and to do him homage for them.

II. They offer their sons, daughters, and all their relations, or other over whom they have any influence, to be placed in marriage according to the king of England's discretion.

† Rymer's *Fœdera*, vol. viii. p. 641, &c.

* The indentures between the crown and the mint-masters had, before this time generally been, that "a pound weight of gold of the old standard was to make by tale forty nobles, amounting to fifteen pounds; or a proportionable number of half, or quarter nobles: and a pound weight of silver, of the old sterling, to make by tale seventy-five groshes or groats, amounting to twenty-five shillings: or one hundred and fifty

half-groshes, going for two pence a piece; or three hundred sterlings, going for pence a piece." But in this parliament it was enacted, "that the mint-master within the Tower of London, and all other minters, by the king's grant, may, during two years, of every pound of gold, of the Tower-weight, coin forty nobles of gold; and of the like pound of silver, coin thirty shillings, so as the same gold and silver be of as good alloy as the old coin was."



Henry Prince of Wales Striking the Judge on the Bench.



To the R^t Hon.^{ble}
Earl of
This Plate is most
Geo. Henry Lee.
Litchfield
humbly Inscribed.



III. They engage to assist Henry with their arms in recovering all the possessions in France that had lately been wrested from the crown of England; but with a salvo to their own allegiance to their natural king.

The king of England, on his side, engaged,

I. To defend the said princes as his faithful vassals and subjects, and to furnish them assistance to bring the duke of Burgundy to justice.

II. That he would stand by them in all their just quarrels, and see them indemnified for their losses.

III. The king bound himself to furnish the princes with a present aid of one thousand men at arms, and three thousand archers, who were to be sent to Blois, where they should be received by the princes, and paid beforehand, according to the stipulated pay, which was for every knight thirty crowns of gold per month, for every esquire fifteen, and for every archer seven and a half.

In consequence of this agreement, which had been solemnly ratified by the contracting parties, Henry appointed his son Thomas, lately created duke of Clarence, to command the troops that were to be sent over to the assistance of the confederate princes: but while the necessary preparations were making in England for this expedition, Charles, improving the advantages he had gained in this campaign, pushed them so closely, that at length they were obliged to shut themselves up in Bourges†. The king and the duke of Burgundy immediately formed the siege of this place, which was most resolutely defended by the confederates, who, in a desperate sally, had well nigh carried off the person of the king; but at length, after both parties had suffered infinite hardships, the duke of Burgundy, fearing the arrival of the succours from England might change the face of affairs greatly to his disadvantage, prevailed on the king to offer the besieged terms of peace, which were readily embraced by the latter. By this agreement the confederate princes obliged themselves to renounce all their engagements with the court of England, and to return to their allegiance in the most ample manner. The duke of Orleans, much against his will, but unable to resist the torrent of public zeal for restoring tranquility, acceded to this treaty, which, to the inexpressible joy of the whole French nation, was finally ratified in an assembly of the states, called by the dauphin for that purpose, on the fifteenth of July, 1412.

In the mean time the duke of Clarence landed at la Hogue, in Normandy, with an army consisting in all of about ten thousand men, with whom he advanced to Blois with all possible diligence; but when he received information that the confederates had made their peace with the court, and had left their new allies in the lurch, he gave orders to his army to levy contributions all over Normandy, and wherever they were not paid, to put the country under military execution of fire and sword; an order which it may be supposed the licentious soldiery obeyed with a most cruel exactness. These proceedings put a stop, for a while, to the general joy at Paris, and it was resolved to pay the English the money which had been promised them, amounting to near three hundred and twenty thousand crowns of gold, as the only method of getting fairly rid of them. This expence naturally fell upon the duke

of Orleans, at whose instances they had been sent over; but as he was not able to raise the sum, he offered his brother, the earl of Angoulesme, as an hostage for the payment, who was accepted by the duke of Clarence, who, finding himself in the heart of an enemy's country, and apprehensive lest the two parties should join against him, and cut off his little army, did not chuse to stand upon hard terms; he only stipulated for leave to march with his troops into Guienne and other English possessions in Picardy, from whence they afterwards, in resentment for having been so dishonourably left by the princes of France, made frequent irruptions into their territories, carrying off a vast deal of plunder both in cattle and effects.

We are now to return to the court of England, where Henry seems to have triumphed over all domestic faction: the Welsh were reduced to obedience; and the regent of Scotland, pleased to see his nephew in the hands of the English, was very cautious how he gave the least umbrage to that court: in fine, the malecontents at home, destitute of all assistance, sought only to deserve the pardon granted them, by the most peaceable and submissive conduct. But while he was thus fortunate as a monarch, his peace was greatly embittered as a parent; the disorderly, not to say profligate, courses of the prince of Wales, not only caused a great concern to the king, who loved him with a most tender affection, but were also very alarming to the nation in general, who shuddered at the prospect of being one day governed by a prince of his character.

But these excesses, though they eclipsed, could not be said to destroy the true greatness of his soul, which, on many occasions, burst forth to the amazement of those who could not rightly distinguish between youthful irregularities and a confirmed depravity of morals. The elder Henry, however, was too good a judge of mankind to despair of his son's reformation, and his hopes on that head were not a little heightened by an accident which gave a real picture of his son's disposition.

One of young Henry's favourites having been indicted for some misdemeanor, was condemned, notwithstanding all the interest the prince, who was present in court, could make in his favour; and he was so incensed at the issue of the trial, that he struck the judge as he sat on the bench. This magistrate, whose name was sir William Gascoigne, and was chief-justice of the King's Bench, acted on this occasion with a spirit suitable to his character; he instantly ordered the prince into custody; and Henry's sally of passion was succeeded by so strong a return of reason, that, with the utmost resignation, he suffered himself to be led to prison by the officers of justice. When the king was informed of this transaction, he said, "he thanked God he had a judge possessed of so much courage to execute the laws, and a son who had so much obedience to submit to such chastisement." A reflection that, which must give us an high idea of that monarch's discernment, and good sense.

Henry now found his health daily impaired by a distemper which had seized him about the beginning of this year; some say it was a leprosy; others, that it was a kind of falling-sickness; however that might be, it in a short time laid him in his grave.

† The capital of the province of Berry, in France, situated on the river Eure.

This illness was attended with the usual effects of bodily complaints; it increased a peevishness and jealousy, which was his natural disposition, and he too readily listened to the suggestions of some sycophants, who insinuated that his son had entertained evil designs upon his crown and authority. These insinuations filled his breast with the most anxious fears and apprehensions; and he even went so far as to remove the prince from being president of the council, in which he was succeeded by his brother John.

Young Henry, fond as he was of pleasure and dissipation, was still susceptible of the nobler passions in an high degree, and he could not without blushing consider, that his own ill conduct had given his enemies but too great room to bring this dishonour upon him. Penetrated with these sentiments, he resolved to leave nothing untried to convince his father of his duty and loyalty.

With this view, having received the sacrament as the best preparative for the most dreadful event, he repaired to court, in a habit expressive of his great grief and sorrow, and being admitted to his father's presence, he desired of him a private audience; upon which the king, who was then very ill, ordered himself to be carried into another apartment, where, in presence of three or four persons only, of the first rank, he demanded of the prince what he had to say to him? who, throwing himself at his father's feet, accosted him in the following terms.

"Most dread sovereign and honoured father, it is with the most heart-felt concern that I understand your highness suspects me of an unnatural design against your crown and person, which, of all others your highness's subjects, I am especially bound to reverence and defend. It is not without deep blushes, and a heavy contrition, that I confess myself, in some measure, to have given you cause of displeasure, by the many irregularities and excesses I have been guilty of; but, I take God, the great judge of all hearts, and the never-failing avenger of those who call upon his holy name to sanctify falsehood, to be my witness, that I never harboured a single thought inconsistent with that duty I owe to your highness as my father and sovereign lord. Those who charge me with contrary intentions, my liege, seek only to disturb your tranquility, and to alienate your affections from your son and successor. It is for this cause I now present myself in this lowly manner before your grace, beseeching you to cause my actions to be

examined with the utmost rigour and severity, yea as though I was the meanest of your subjects; and if I am found guilty in any respect of the crime laid to my charge, or have, by word or deed, expressed ought but the greatest loyalty and affection for your highness's person and state, let me be punished like the vilest miscreant that ever disgraced the name of son or subject: I will cheerfully submit to any punishment you shall think proper to inflict, and to that intent I have this day, by confession of my sins, and receiving the sacrament, prepared myself; and therefore, my most redoubted lord, I beseech you, with all humility, for the easing of your mind, and also for the vindication of your slandered son, to give orders for the scrutiny I demand."

This free, ingenuous, and pathetic address so affected the king, that, taking the prince in his arms, he embraced him with an effusion of tears, assuring him that his suspicions were entirely removed, and that for the future he would never harbour a thought prejudicial to his loyalty and honour; nay, he promised him, that, in order to clear him in the eyes of all indifferent persons as well as himself, he would give him the names of his accusers, that they might be brought to justice in the ensuing parliament.

But Henry's death put a stop to this design. He kept his Christmas this year at Eltham, where the returns of his fits were very frequent, and deprived him of all sensation. In this distress, agreeable to the custom of the age, he made a vow to Heaven for his recovery; and, finding himself a little better soon after, he assumed the cross, with a fixed resolution to devote the rest of his days in a war against the Infidels. About the beginning of February, 1413, he returned to his palace of Westminster; but his malady returning again, more violent than ever, it brought him so low, that he expired in the Jerusalem Chamber, on the twentieth of March, in the forty-seventh year only of his age, and the fourteenth of his reign*.

Henry IV. was of a middle stature and handsome make, and was perfectly accomplished in all the exercises of arms and chivalry: his countenance and deportment was serious and sedate; and he possessed a happy equability of temper, that made him receive every reverse of fortune with such a presence of mind, and quickness of apprehension, that he seldom failed to extricate himself from the many difficulties he encountered in the course of his life, with equal spirit and success.

* An historian, who is desirous of preserving any degree of credit cannot be too cautious how he admits any facts that are not sufficiently authenticated; at the same time tradition, or universality of reception, may give such sanction to those facts, that they are not wholly to be rejected: for this reason I have given a place in the notes to certain particulars, which, according to former historians, preceded the death of this king, and which, though possibly embellished by the pen of the writer, appear not inconsistent with the character of the person, or the times.

Henry had been so frequently in danger of losing his crown, that his imagination seems to have been strongly possessed with that idea; and, as his strength decayed, his apprehensions redoubled, even to a degree of childish anxiety. He would not sleep unless the royal diadem was placed under his pillow.

One day he remained so long in a swoon, that his servants thought he was actually dead, and the prince carried the crown into his own apartment. The king recovering the use of his senses, and observing the crown was removed, asked who had dared to take it from his pillow? and being told that the prince had carried it away, he ordered him to be brought into his pre-

sence. When young Henry appeared, "What (said the king with an angry countenance), would you deprive me of my crown before my death?" "No (replied the prince); thinking your majesty was dead, I took it as my lawful inheritance; but now that I see you alive, I return it with far greater pleasure than I took it; and may God grant you many happy days to enjoy it in peace." So saying, he laid the crown upon the pillow, and having received his father's blessing, withdrew. Compl. Hist. of Eng. vol. i. p. 304.

A certain person having formerly told Henry that he should die at Jerusalem, he, in his last illness remembered the prediction, and verily believed God would make him his instrument to rescue that city out of the hands of the enemies to Christianity: but being seized with his last fit at his devotions before the shrine of St. Edward the Confessor, he was carried from thence to the Jerusalem Chamber, belonging to the abbot of Westminster; when he came to himself, he enquired where he was? and being told the name of the place, he immediately concluded that his end was at hand, and that, according to the prophecy, he should die in Jerusalem. Hall. Stowe.

If we view him in his political character, we shall discover a surprizing contrast throughout the whole. Without being of an enterprizing disposition, he effected a revolution that might have appaled the most daring. Though he shed torrents of the noblest blood in England, he was not by nature sanguinary or unmerciful. He was by inclination parsimonious, and yet the utmost liberality of his people could not suffice his continual expence. With an haughty and imperious spirit, he submitted to greater indignities from his parliament than ever king of England had borne. But these contradictions may be reconciled by a due attention to the particular circumstances of his situation: his attaining the crown was as much owing to the zeal of the people, as to his own ambition: self-policy and preservation obliged him, with a forgiving heart, to exercise acts of cruel severity. The numberless alliances he contracted, and the continual negociations in which he was engaged, drained those coffers he was continually seeking to fill: and, lastly, his resentment, when roused, was checked from exerting itself by disability, and changed into patient acquiescence. In fine, he seems to have employed all his thoughts in preserving his crown, and avoiding all occasions by which it might have been endangered. The death of Richard II. and the detention of the young king of Scotland, will remain indelible blots upon his memory. It is true, towards the end of his reign, he seems to have formed a design to atone for his errors, and to have made his peace with Heaven and mankind; but it did not please the mighty Disposer of all events to allow him time to shew the effects of this resolution.

His body, after his death, was conveyed by water to Feversham, and from thence by land to Canterbury, and there solemnly interred.

Henry was twice married.

First, while earl of Derby, to Mary, daughter of the earl of Hereford, who died only countess of Derby, A.D. 1394, and was interred in the cathedral church of Canterbury. By this lady Henry had issue,

1. Henry of Lancaster, surnamed of Monmouth (from the place of his birth), prince of Wales, who succeeded his father by the name of Henry V.

2. Thomas of Lancaster, created by his father duke of Clarence, in the twelfth year of his reign.

3. John of Lancaster, created duke of Bedford in the same year, and was afterwards regent of France.

4. Humphrey of Lancaster, duke of Gloucester, and afterwards protector of England.

1. Blanche of Lancaster, who was married to Lewis, elector Palatine; and, after his death, to the king of Arragon; and, out-living him, she took to her third husband the duke of Barr.

2. Philippa of Lancaster, who espoused Eric, king of Denmark and Norway, A.D. 1405, the fifth of her father's reign.

Henry was a second time married to Joan, daughter to Charles I. king of Navarre, and widow to John Montfort, duke of Brittany. This princess died without any children by king Henry, in the year 1437, and was buried near her husband, at Canterbury.

REMARKABLE OCCURRENCES.

In the second year of king Henry's reign the usual plenty of this nation was so much abused, that wheat is said to have been sold at sixteen shillings a quarter, which not long before was at four shillings a quarter; and it would have been much dearer, but that the merchants imported great quantities of rye and rye-flour from Prussia, which, serving for common use, kept down the price of wheat. But though there was such a judgment upon the nation as famine, yet the people were not humbled by it; but great pride and vanity in dress prevailed, masters and servants wearing gowns with poke-sleeves hanging down to the ground, which were both vain and superfluous. The conduit in Cornhill was built, in a place where before had stood a prison for night-walkers, called the Tun, the materials of which served to raise the new conduit.

In the third year of his reign, about the beginning of March, appeared a very terrible blazing-star, sending forth its fiery streams at first towards the north-east, and at length towards the north, where it seemed to fix: which was afterwards thought to portend the bloody wars between the Scots and English, and the several executions done upon the malecontents under the government.

In the ninth year of his reign, a little before Christmas, began a frost of such violence and long continuance, that the like was scarce ever heard of in England: it lasted fifteen weeks, and being accompanied with abundance of snow, it was so destructive to the birds especially, that almost all the smaller birds died of cold and hunger.

In the tenth year of his reign was acted a famous play at Skinners Well, near Clerkenwell, London, representing the chief transactions of the world from the creation; it lasted eight days, and most part of the nobility and gentry of England were present at it: from thence they went to royal jousts in Smithfield, between the marshal of Hainault and certain Hanoverians, challengers, and the earl of Somerset and an equal number of Englishmen, defendants. The victory was on the Englishmen's side, for the earl overcame, and all the English but one.

In the twelfth year of his reign, the Guildhall of the city of London, which was but a mean cottage before, was made a stately building, by the mayor and aldermen, at the charge of the city. And the company of grocers laid the foundation of their hall, upon a piece of ground which they purchased for three hundred and twenty marks, in Cunihope-lane.

Of the State of Religion, Learning, Laws, Arts and Sciences, Commerce, Public Revenues, &c. in ENGLAND, from the Accession of EDWARD III. to the Death of HENRY IV. Including a Period of Eighty-six Years, viz. from A. D. 1327 to A. D. 1413.

Of RELIGION, and of the CHURCH.

WHILE the reins of government were in the hands of the queen-mother, Isabella, during the minority of her son, Edward III. little regard seems to have been paid to the papal authority, as the queen and her council bestowed ecclesiastical dignities on such persons as they thought the most proper to fill the vacant sees, without being in the least restricted by the pretended right of reservation assumed by the court of Rome. The same measures were adopted by Edward, when he took the management of public affairs upon himself; and the nation in general seemed to rouse from that dastardly spirit of concession to papal decrees, which had so long disgraced and impoverished it, and the most effectual methods were taken to redress the most considerable encroachments of foreign ecclesiastical power. Nevertheless, pope John XXII. who claimed an uncontrouled sovereignty over all the powers of Europe, continued his oppressive exactions with the most impudent boldness: this made Edward resolve to secure the friendship of the English clergy, as a thing of the utmost importance towards enabling him the better to make head against the pope, as well as against the machinations of Stratford, archbishop of Canterbury, who, by his difference with the court, which we have already related in its place, gave the king no little uneasiness.

With this view, in the year 1340, at a parliament held at Westminster, a statute was passed in favour of the church, by which the clergy gained more than they had done for a considerable time. Among other things, it was enacted, "that the temporalities of bishoprics, and other church-livings, should not be seized without true and just reasons, according to the law of the land, and after judgment given." And, by another clause, it is provided, "that no ecclesiastic, or person taking possession of church-livings during the vacancy of the same, shall commit any waste therein, nor raise fines upon the tenants; and that in case the deans and chapters of churches, or religious houses, where such vacancies happen, shall account to the crown for its benefits arising from the vacancy, they are then to have the preference before any other person, to take the same in farm*."

In the year 1344, Edward standing greatly in need of a supply, and the clergy having been remarkably liberal on that occasion, the king, in return, granted to them a statute greatly in their favour, some part of which runs as follows:

"And we for this cause, in maintenance of the estate of holy church, and in ease of the prelates and clergy of England, by the assent of the great

men and the commons, do grant of our good grace, the things under-written: that is to say,

"If any clerk be arraigned before our justices, at our suit, or at the suit of the party, and the clerk holdeth himself to his clergy, alleging that he ought not before them thereupon answer; and if any man, for us or for the same party, makes a suggestion that he hath married two wives, or one widow, that upon the same, justices shall not have cognizance, nor power to try the bigamy by inquest, or in any other manner, but it shall be sent to the spiritual court, as hath been done in times past, in case of bastardy: and till the certificate be made by the ordinary, the party against whom the bigamy is alleged by the words aforesaid, or in other manner, shall abide in prison if he be not mainpernable (that is,ailable.)"

By cap. III. of this statute, it is provided, "that if prelates, clerks beneficed, or religious persons who have purchased lands, and the same have put to mortmain, be impeached for the same before our justices, and they shew our charter of licence, and process thereupon made by an inquest of "Ad quod damnum," or of our grace, or by fine, they shall be freely let in peace, without being farther impeached for the same purchase.

Cap. V. That no prohibitions be awarded out of chancery, but in cases where we have the cognizance and of right ought to have.

Cap. VI. Whereas commissions be newly made to our justices, that they shall make enquiries upon judges of holy church, whether they have made just progress, or excessive, in causes testamentary, and other which notoriously appertaineth to the cognizance of holy church: the said justices have enquired, or caused to be indicted, judges of holy church, in blemishing the privileges of holy church; that such commissions be repealed, and from henceforth defended (i. e. prohibited), saving the article in eyre, such as ought to be†."

The clergy, thus favoured by the crown, who by these acts put itself in the place of the pope, and finding themselves secured in their undoubted rights, thought themselves equally interested with the civil power not to give up their jurisdiction or properties to alien invaders, or the griping tools of the Romish court; and, however devoted they might be to the church, they shewed themselves as jealous of any encroachments of papal power as the most illustrious of their posterity have since done. A remarkable instance we have of this disposition in the proceedings of the parliament relating to the independency of the church of England, which passed in the year 1347, in which, after the civil petitions

* See Ruffhead's Statutes, vol. i. p. 233.

† Statutes at Large, vol. i. p. 242, 243.

of the commons were presented and answered (for which see p. 582 of this History), they were followed by very spirited petitions of that house to the king for relief against the alienation of benefices to foreigners by virtue of the pope's bulls, to the great detriment of Englishmen, who were thereby prevented from procuring a vacant benefice, "an oppression (says the petition) which they cannot longer endure." In consequence of this it was enacted, by common consent of king, lords, and commons, "That all persons bringing letters or bulls from Rome within the king's dominions, and all persons delivering the same to any archbishops, or inferior prelates, should be fined and imprisoned; and also all persons who, by virtue of such bulls or letters, should presume to carry appeals to Rome, directly or indirectly, concerning the disposition of vacant benefices in England."

Nothing could possibly happen more mortifying to the papal court than this statute, which passed under the title of the Statute of Provisors or Provisions*, as it cut off that great source of money, by which England was drained of her treasure.

About this time the old dispute revived between the archbishops of Canterbury and York, concerning precedency, which produced some animosity and altercation; but being at length referred to the arbitration of the king, it was by him decreed, "that both prelates might carry the cross erect within each other's provinces; but that the archbishop of York, within two months after his elevation to that dignity, should send a jewel, worth forty pounds full value, to the cathedral of Canterbury, as a testimony and acknowledgement of the primacy and superiority of that metropolitan."

A more dangerous quarrel arose between the townsmen and scholars of Oxford, occasioned by a trifling dispute between a student and a publican, which at length came to forebode such serious consequences, that the king and the bishops thought it necessary to apply themselves vigorously to enquire into the matter; and the townsmen were found to have behaved so outrageously, having killed no less than seventy of the scholars, that they were fined two hundred and fifty pounds damages, and to give security for their good behaviour; at the same time the greatest part of the liberties of that city were granted to the university, which continues yet to enjoy them; and in particular the scholars had the privilege given them of suing the citizens of Oxford in the vice-chancellor's court.

The year 1355 is distinguished by the passing of the famous Statute of Præmunire, a law which was calculated originally to hinder matters of property from being carried before the court of Rome, in prejudice of the king's courts in England, where the cognizance of crimes and property ought naturally to lie; but it was afterwards stretched by some of Edward's successors to very infamous purposes. This statute provided "against impeachments of the sentences of the king's courts, by bringing matters, which had been awarded there, into other courts." The penalty is, "to be put out of the king's protection, to forfeit all their lands and goods, and to be imprisoned and ransomed at the king's will, if they be found; but if not, they may be outlawed."

These excellent provisions made against papal encroachments were, however, very ill observed; and Gregory XI. whose avarice and power went hand in hand, found means to evade them by drawing a considerable sum from the kingdom by way of fine of alienation (if I may be allowed the expression) on the death of prelates, or their translation from one see to another; by this expedient, which had not been provided against, he drew to himself, as a recompence for the loss of his power of presentation, four times the yearly value of the vacant benefices; an exaction which almost exceeds belief. The clergy, unable to support this oppression, resolved to encounter the pope in his own way, and accordingly prevailed on the king to set on foot an enquiry into all the livings possessed by foreigners in England: the returns made to the writs of enquiry contained an incredible number of livings in the hands of aliens; upon which the commons presented a petition to the crown, complaining "that all the papal power in England was turned to the disadvantage of the king and kingdom; and that England, by furnishing the immense sums she did yearly to the pope, was putting arms into the hands of her enemies." They particularly observed, that there was scarce a cardinal in the conclave (the number of which had been greatly increased by this pope's arbitrary authority) but was possessed of some wealthy living here. In short, they insisted, "that all who should support the pope in his claim upon reservations of benefices and provisions, or receiving fines for translations or promotions, should be adjudged outlaws, and put out of the royal protection." This vigorous remonstrance gave a fatal blow to the papal power in England, and produced at last a kind of compromise between Edward and the pope, whereby the latter promised to behave with more moderation for the future, and the king, in return, desisted from his claim of conferring benefices by writs of "Quare impedit."

Thus stood matters between the English church and that of Rome, towards the end of the reign of Edward III. But we cannot dismiss this period, without remarking, that the seeds of reformation in religion began to disclose themselves in England at the latter end of this prince's reign, in the person of John Wickliff, who now set on foot his new doctrine, under the protection of the duke of Lancaster, who had provided for him in the rectory of Lutterworth, in the diocese of Lincoln. The great power of his patron gave this man an opportunity of greatly spreading his tenets, till he at last alarmed the court of Rome itself. The tenets and doctrine he taught were as follow:

I. That the eucharist, after consecration, is not the real body of Christ, but only its emblem or figure.

II. That the church of Rome is no more the head of the universal church, than any other church; nor was there any greater power given to St. Peter than to the rest of the apostles.

III. That the pope of Rome had no more jurisdiction in the exercise of the keys than any other priest.

IV. That in case the church misbehaves, it is not only lawful, but meritorious, to dispossess her of her temporalities.

* Statutes at Large, vol. i. p. 270—272.

V. That when a prince, or temporal lord, is convinced that the church makes an ill use of her endowments, he is bound, under pain of damnation, to take them away.

VI. That the Gospel is sufficient to direct a Christian in the conduct of his life.

VII. That all other rules instituted by holy men, and practised in the monasteries, add no more perfection to Christianity than whiteness to a wall.

VIII. That neither the pope, nor any other prelate, ought to have prisons for the punishing offenders against the discipline of the church; but that every person ought to be left at his liberty in the conduct of his life*.

It is no wonder that, upon the promulgation of tenets so subversive of that unlimited authority the church of Rome had for so many ages assumed to herself over all the Christian churches, the pope should issue a bull to the archbishop of Canterbury and the bishop of London, requiring them to seize and secure the person of Wickliff. In consequence of which he was summoned before a synod, which the archbishop held at St. Paul's. Thither he repaired, accompanied by his patrons, the duke of Lancaster and the lord-marshal Piercy (afterwards earl of Northumberland), and in a manner rather resembling a triumph than that decent appearance expected in a culprit arraigned before his superiors. The bishop of London could not help taking notice of this; and he told the duke and the lord Piercy, that if he had imagined they had intended to have come in that insulting manner, measures should have been taken to have prevented their admittance. The lord Piercy, without taking any notice of what the bishop said, told Wickliff to sit down, for that he supposed he would have need of rest, considering the number of adversaries he was likely to encounter that day. To this the bishop objected, as it was both unreasonable and unseemly, that an accused person should be seated in the presence of his judge. The duke of Lancaster, unable longer to conceal his resentment, told the bishop, that however high he might carry himself on this occasion, he would find a way to bring down his proud spirit, and that of all the prelacy of England; and added other expressions of so very passionate a nature, that the bishop, being apprehensive of some insult being offered to his person and character, immediately dissolved the assembly, which broke up in a violent confusion. The Londoners vowed revenge against the duke for the insult offered to their bishop; but they had soon reason to repent this rash declaration, as we have shewn in another place†. But, in the mean time, all the censure imposed upon Wickliff was silence: what else relates to this man, and the sect he formed, will be shewn in the ecclesiastical events of the succeeding reign: we shall conclude this with an account of the most remarkable councils held during its continuance.

The first synod held in the reign of Edward III. in the year 1328, was a provincial one, and held by Mepham, archbishop of Canterbury. By this synod Good Friday and the Conception of the Blessed Virgin were ordered to be observed as holidays, and all works forbidden, but with this exception, that the country-people were allowed to

follow their business after divine service. By the same synod all monks, hermits, and canons regular were prohibited taking confessions. A canon made in a former synod at Oxford‡, which admitted appeals only after a definitive sentence was repealed. A very remarkable case was disputed and adjudged before this synod, which is worthy of notice: it was between the crown and Lewis Beaumont, bishop of Durham. The king (or rather the queen-mother and her council) had ordered the estates of several traitors, which had been forfeited, within that prelate's diocese, to be seized by the royal officers. The bishop disputed this matter, his bishopric being a county palatine; and the cause being heard before the spiritual lords, they gave judgment in favour of the bishop, which was confirmed by an act of the synod. This was an important decision, and the bishops of Durham have ever since continued in possession of this regal power.

In 1332, Mepham held another synod at Mayfield, which settled all the holidays observed in the province of Canterbury. Among the festivals we find St. George's day and that of St. Augustine, the first archbishop of Canterbury; and also that of St. Thomas (Becket) of Canterbury, which is placed between Innocents and the Circumcision, on the ninth of December.

In October 1342, Stratford, archbishop of Canterbury, held a provincial synod at London, where a body of canons were agreed to, the principal of which were "To oblige parishes belonging to monasteries to answer the religious purposes for which they were endowed, by distributing to the poor a proportionable share of their income. To settle the fees upon inventories and administration of estates. To restrain the exorbitancy of archdeacons and other spiritual superiors, who made a practice of extorting procurations from churches which they never saw, and burthening the clergy in their visitations. To reform the abuses in commutations of personal penance. And, lastly, to prevent collusive inductions into livings."

In a subsequent synod, held by the same archbishop, in the year 1343, according to Lynwood, several constitutions passed: of which

The Ist (enacted at the king's request) lays the sentence of the greater excommunication upon all rebels and disturbers of the king's peace.

The IId was levelled against the extravagance of churchmen.

The IIId prohibits the farming of church-livings to lay men and women.

The IVth denounces censure upon those who defraud or interrupt priests in the collection of tythes.

The Vth exacts the tythes of the loppings of trees.

The VIth debars laymen from touching the offerings made in churches.

The VIIth regulates the administration of wills and inventories.

The VIIIth inhibits the bishops and their officers within the province of Canterbury from meddling with the goods of beneficed clergymen deceased, which estates ought to be at the disposal of the executors.

The IXth provides against all fraudulent conveyances during a person's life, by which the king

* Walsingham, p. 192, 201, &c. 202, 285. Ypod. p. 531. Knyghton, Col. 2644—2670.

† See p. 614.

‡ See p. 522.

may be deprived of his dues, and the wives and children of their portions.

The Xth forbids all buffoonery, revelling, and riots at the night-watches over the dead, which time ought to be spent in Psalms and prayer for the souls of the deceased.

The XIth threatens with excommunication all parties engaged in any methods to bring about clandestine marriages.

The XIIth is calculated to prevent the encroachment of lay noblemen, who frequently interfered with the ecclesiastical officers in the article of testaments made by villains, whom the lords of manors wanted to exclude from that privilege.

The XIIIth commands all due respect to be paid to church censures, and that the secular power shall not interpose between the church and the delinquent.

The XIVth condemns and forbids the scandalous practice of laymen cutting down trees in churchyards for their own use*.

The XVth affixes the sentence of excommunication to those who violate such effects as are sequestered by the bishop, his vicar-general and principal official.

The XVIth and last canon is against those who take out writs in actions of account, trespass, and the like, against parties who were at a distance, and entirely ignorant of the prosecution.

In March 1351, Islip, archbishop of Canterbury, who succeeded Stratford in that see, held a synod of the clergy of his diocese, in which he published a constitution concerning the imprisonment of clerks, in which it is ordained, "That they shall, for the future, be kept in gaol and closely confined according to the quality of the persons and the licentiousness of their crimes; and if they are of infamous notoriety in lives and manners, they are to be kept upon spare and coarse diet; and not as heretofore, to the scandal of holy church, by pleading their clergy, and being delivered up to the spiritual court, instead of being confined and treated with due severity, be sumptuously entertained, and their prison converted into an house of pleasure. This constitution appears to have passed in consequence of a warm remonstrance made by the lay nobility and others to the king in parliament, setting forth that the privileges enjoyed by the clergy, served only to encourage them in the practice of all manner of vice and immorality.

The last council held in this reign, was in the year 1362, under the same archbishop, in which several constitutions were passed to restrain the covetousness and slothfulness of modern priests, who refused, even with proper salaries, to perform parochial duties. At the same time, as many persons who supplied parochial cures, were very slenderly provided for, another constitution augmented their allowance in the following words: "And that the proportion of the salary may be known to you, we will that the chaplain of a church, chapel, or prebend, with cure, in your diocese, be content with one mark of silver over and above the salary [of six marks for their annual stipend] that used to be paid to them that ministered in the same cure. And we will, that the salary of any other stipendiary priest be limited to the common taxation in former times."

The same archbishop likewise settled the number of holidays, in which there is nothing particular or new. We now come to consider the ecclesiastical transactions that distinguished the reign of Richard II.

The patronage of the duke of Lancaster and the lord Piercy to Wickliff, made the public begin to dare to think. Pope Gregory XI. was alarmed; and finding that his former bull had produced no effect, he sent forth others, one of which was directed to the university of Oxford, complaining of their conniving at Wickliff's doctrine; but it was treated by that seminary with great indifference, if not contempt, whereupon he sent fresh orders to the archbishop of Canterbury and the bishop of London to prosecute that innovator. But as his holiness had intimation that the bishops could not proceed in the affair without the king's licence, he enjoined them to represent to Richard and his council, that Wickliff's errors were not only dangerous to religion, but likewise to the state. Hereupon a synod was held at Lambeth; but as the government was in a minority, and the administration entirely in the hands of Wickliff's patrons, the bishops thought it their interest to proceed with great moderation: on his side, he submitted either to qualify or explain away some of his most exceptionable tenets; and the council contented itself with dismissing him after fresh injunctions to silence, to which he paid little or no regard, and was no sooner at liberty, than he maintained his former opinions with redoubled freedom.

About this time, pope Gregory XI. dying, a schism began in the church, of which we have already taken notice in the civil history of this reign; and therefore shall only observe here, that the two competitors for the papal dignity were Urban VI. and Clement VII. The schism itself continued for about thirty years, and each party applied to the court of England for a ratification of its title. On this occasion the archbishop of Canterbury declared for Urban, and was joined in his declaration by the rest of the clergy. The authority of this pontiff, however, seems to have been very little regarded here; for, in 1382, William Courtenay, brother to the earl of Devonshire, being chosen archbishop of Canterbury in the room of Simon Sudbury, who had been murdered by the Kentish rebels†, and it being his office to celebrate the king's marriage‡, which happened at the time of his exaltation, he ventured to do it without receiving the pall from Rome, the monks of Canterbury persuading him by many reasons, that the pall was no other than a ceremony, and might be dispensed with, without affecting his archiepiscopal rights.

The condemnation of Wickliff's doctrine prevented not its spreading all over the kingdom, and with such success, that the clergy thought it necessary to take it again into consideration; and in the course of the year 1382, fresh articles were exhibited against Wickliff and his followers; particularly one Nicholas Hereford, whose writings, together with the tenets of Wickliff, underwent a synodical censure. The university of Oxford also took cognizance of the same; and William de Breton, chancellor of the university, censured them as repugnant to the doctrine of the church, and con-

* By a statute of 25 Edw. I. trees in church-yards are not to be cut down but for repairing the church or chancel, and then by way of charity. Statutes at Large, vol. i.

† See p. 624.

‡ See p. 627.

trary to the catholic verity. And now William Courtenay, archbishop of Canterbury, assembling several suffragan prelates, fourteen doctors of the canon and civil law, with seventeen doctors and six bachelors of divinity, condemned, in full synod, the nine following positions as heretical.

I. That the substance of the bread and wine remains in the sacrament after consecration.

II. That the accidents do not remain without the subject, in the sacrament, after consecration.

III. That Christ is not essentially and corporeally present in the sacrament of the altar.

IV. That a bishop, or priest, in mortal sin, cannot ordain, consecrate, or baptize.

V. That there is no foundation in the Gospel to believe that Christ instituted mass.

VI. That if the pope be a wicked man, he is a member of the devil, and hath no authority over the faithful, nor any commission except from the emperor.

VII. That, after the death of pope Urban VI. no person ought to be acknowledged as pope; but Christians ought to live independently, like the Greek church.

VIII. That ecclesiastics ought to have no temporal possessions.

IX. Lastly, That auricular confession is unnecessary and superfluous.

Wickliff's followers, Hereford, Repyngdon, and others, were obliged to recant these tenets: and, on the thirteenth day of July this year*, the king issued a writ to the chancellor and proctors of the university of Oxford, to search for all books written by Wickliff or Hereford, and transmit them to the archbishop, without alteration; nevertheless, no violence was offered to the person of Wickliff himself, who lived unmolested at his living of Lutterworth, in Leicestershire, where he died about the latter end of the year 1385. The loss of the master did not, however, dishearten his followers, who continued to preach and maintain their opinions with the same courage as during his life: and about the year 1388, the progress of Wickliffitism was so alarming, that the parliament complained of the same; whereupon the king, by a writ issued on the twenty-third day of May, appointed the following persons commissioners "to peruse Wickliff's books, and to inflict pains and penalties on all who should publicly or privately teach the opinions therein maintained, or keep, transcribe, or buy or sell any such books, in any manner whatsoever." The commissioners named in this commission were, Thomas Bryghtwell, doctor in divinity, dean of the new college at Leicester; William Chesselden, prebendary of the same college; and Richard Barrow and Robert Long, knights. But the nation, and many of its magistrates, were so much friends to Wickliffitism, that this commission had but very little effect. We must not forget, however, to observe, that the Wickliffites had been by this time deserted by their great patron, the duke of Lancaster, who found it convenient to his politics to keep in with the court and the clergy.

But the government had now another evil to guard against, viz. the encroachments which continued to be made by the see of Rome. Pope Boniface IX. who had succeeded Urban VI. in the pontificate, could not forbear the exactions of his

predecessors, but, on the contrary, took measures to increase the oppression, and, in defiance of the statutes passed in the preceding reign, he continued to bestow English benefices on foreigners about his person. This conduct once more roused the commons, and occasioned a petition to Richard to seize all the effects of beneficed foreigners, and to banish them the realm, which was accordingly done. The clergy were likewise forbid to pay a tax which had been lately demanded by the pope (which was no less than a tenth), and a writ was even directed to Darden, his holiness's nuncio and collector, "not to collect the same, under pain of forfeiting life and limbs."

Notwithstanding all these precautions, we find that about the year 1391, many zealous clergymen had, in defiance of the laws in being, repaired to Rome to solicit a repeal of the statutes of Provisors and Præmunire. Such persons were, by a writ from the king, dated at Westminster, May 3, 1391, commanded to return to England within a limited time, upon pain of death and confiscation of their estates and effects. But these rigorous laws, though they might restrain the subject, did not in the least discourage the pope, who continued to translate the bishops when vacancies happened, and even ventured to nominate a new prelate, which was Henry Beaufort, one of the natural sons of the duke of Lancaster; but as the statute of Præmunire forbade such nomination, he never attempted to take possession. The king, enraged at these proceedings, summoned the clergy to give their opinions concerning these transactions; but, unwilling to offend either king or pope, they delayed their answer, and in the mean time the latter sent a nuncio into England, to declaim against the statutes of Provisors, Quare impedit, and Præmunire, and to demand the same to be repealed in his holiness's name, as an encroachment upon the liberties of the church: but the eyes of the people of England began now to be opened; they saw into the designs of the see of Rome, and resolved to take the most effectual measures to prevent the popes from attaining that temporal sovereignty they were so evidently labouring after. Accordingly the government not only treated the nuncio's demand with the contempt it deserved, but, to cut both him and his master off from all hopes of success, the statute of Præmunire was confirmed, with a penalty, by the parliament, which also enacted, "That any person within the realm, bringing or sending summons, censure, or sentence of excommunication against any person whatsoever, for his assent to, or execution of, the Statute of Provisors, shall be arrested, imprisoned, and forfeit all his lands, estates, and effects, and incur penalty of life and limb: and any prelate executing such summons, censure, or sentence of excommunication, shall be deprived of his temporalities; and they shall remain in the king's hands for due redress and correction."

The archbishops of Canterbury and York, and the clergy of their respective provinces, made a protest, but in general terms, against this bill, implying that they would never consent to any statute or law made in resistance to the pope's authority. This process drew upon the archbishop of Canterbury an impeachment by the house of commons in

* Rymer. Knyghton.

the next parliament; but the archbishop, in his defence, acquitted himself entirely of all suspicion of abetting the illegal authority of the pope, protesting, "that he would adhere loyally to the king, and endeavour, as in duty bound, to support him in these and all other instances, in which the rights of the crown might be concerned." His answer was extremely pleasing to the parliament, and it even served as the preamble of a new statute of *Præmunire*, more comprehensive than the former, as it affected not only the procurers, abettors, maintainers, and counsellors, but even the favourers of the papal power, so that an effectual stop was put to all application to a foreign jurisdiction, either in that of the court of Rome, or elsewhere, in prejudice of the royal prerogative and laws of the realm.

The Wickliffites, or Lollards as they now began to be called, had by this time separated from the church of Rome, and appointed priests from among themselves, to perform divine service after their own manner. This subjected them to several persecutions in the ecclesiastical courts: but in the year 1395, while Richard was over in Ireland, the Lollards, resuming fresh spirits, presented a very extraordinary remonstrance to parliament, consisting of the following heads.

I. That when the church of England, treading in the steps of the church of Rome, began to make an ill use of her temporalities, faith and charity began to disappear.

II. That the English priesthood derived from Rome, and pretending to a power superior to angels, is not the priesthood settled by Christ upon his apostles.

III. That the celibacy of the clergy was the occasion of many scandalous irregularities in the church.

IV. That the doctrine of transubstantiation renders the greatest part of Christendom guilty of idolatry.

V. That exorcisms, benedictions, pronounced over water, bread, oil, stones, for the altar, church walls, priests vestments, the mitre, cross, pilgrim's staff, have more of necromancy than religion.

VI. That it was a crime to join in the same person ecclesiastical and civil offices.

VII. That prayers for the dead, in which one person is preferred to another, are not conformable to the charity prescribed by the Gospel.

VIII. That pilgrimages, and offerings made to images and crosses, and especially the pictures representing the holy Trinity, are a sort of idolatry.

IX. That auricular confession serves only to make the priests proud, and, by letting them into the secrets of the penitent, gives opportunities for many sins and scandalous intrigues.

X. That the taking away any man's life, either in war, or courts of justice, is contrary to the doctrine of the Gospel, which is a dispensation of grace and mercy.

XI. That the vow of single life taken by women is the occasion of numberless disorders, and of the murder of multitudes of children unbaptized, or even unborn.

XII. That it is necessary to banish from civil society all useless trades, which serve only to support pride and luxury*.

All these articles were backed with proofs, too long to be inserted.

The whole of this extraordinary piece was closed with six stupid rhythmical Latin lines. It was presented to the house by sir Richard Story, Lewis Clifford, Thomas Latimer, and others. The parliament seemed to give so much attention to this remonstrance, that the clergy, alarmed thereat, deputed the archbishop of York and the bishop of London to call Richard over from Ireland to their assistance, in the manner we have already related in the reign of that prince.

The ensuing year, 1396, died William Courtenay, archbishop of Canterbury, and was succeeded by Arundel, archbishop of York, who, upon the nineteenth of January, the following year, held a synod at London, which condemned eighteen articles extracted from a book of Wickliff's, called *Dialogus*, and which were brought in by the canonists and civilians of Oxford.

Towards the latter end of the reign of Richard II. the church of Rome was again divided by a violent schism, which lasted thirty years, during which long space of time, Benedict XIII. and Gregory XII. being both elected popes, by different parties of cardinals, and equally refusing to resign, a civil war ensued, in which most of the Christian potentates interested themselves, till the schism becoming scandalous, and all parties being wearied out, a council of cardinals was held at Pisa, to which commissioners were sent by the several princes of Christendom, and both popes were finally deposed, and a new one elected, in 1409, who took the name of Alexander V. These commotions gave respite to the English church; but, unhappily, the interval of peace it enjoyed from the exactions of the Roman pontiffs, was ignobly employed in persecuting its own members for believing and promoting the doctrines of Wickliff; and these persecutions once more revived the decreasing authority of the popes in England, which was not finally suppressed till the glorious reformation took place under Henry VIII. of which, in its place. We shall now hasten to the conclusion of the church-history of the æra under present consideration.

During the reign of Richard II. we find no remarkable councils but those held on occasion of Wickliff and his followers, which having been mentioned in the course of that dispute, it will be needless to repeat them.

Upon the new revolution of government which settled the duke of Lancaster upon the throne of England, by the name of Henry IV. the Lollards were most terribly persecuted; for this prince, who, whilst a subject, was supposed to be strongly tinctured with Wickliffism, no sooner became possessed of the regal dignity, than he resolved to make himself as popular as possible with the clergy; and as he knew no method was so effectual for that purpose as to gratify their resentment against their opponents, he professedly set his face against all those who dissented from the established worship of the Romish church, and treated the Lollards with the greatest severity, insomuch that he engaged the parliament to pass a law, by which it was enacted, "that when any heretic, who relapsed or refused to abjure his opinions, was delivered over to the secular arm by the bishop or his commissaries, he should be committed, by the civil magistrate, to the flames before the whole people."

* Spelman's Concil. vol. ii. p. 646.

This is called the writ "De heretico comburendo."

Among other busy sectaries of that time was one William Sawtree, curate of the parish of St. Osithe. Among other tenets, he held,

I. That he would not worship the cross on which Christ was crucified, but only Christ who suffered upon that cross.

II. That a man predestinated to eternal happiness, is more worthy of our worship than an angel of God.

III. That vows of pilgrimage may be commuted by distributing the expences of the journey among the poor.

IV. That every priest and deacon is more bound to preach, than to observe canonical hours or perform divine service.

Toleration was never the characteristic of the Roman catholic religion, and these tenets being condemned as heretical, in a synod held by Arundel, archbishop of Canterbury, and Sawtree himself as an heretic convict, the king issued a writ for his execution, and the unhappy man atoned for his erroneous opinions by the penalty of fire, and was the first that ever suffered death in England, by burning, for heresy; and this one horror more was added to those with which this nation was already oppressed.

But this sanguinary example little promoted the cause it was intended to serve; on the contrary, it rather inflamed the zeal and occasioned the propagation of the doctrine of the Lollards, who deviated more and more from those of the established church: in a word, this sect made so alarming a progress, that, in 1408, Arundel convened the bishops and clergy of his province at Oxford, to concert measures for suppressing the growth of Lollardism, and especially to prevent its spreading farther into the university; and the following body of canons was agreed to by the assembly, enacting,

I. That no priest should preach to the people, unless authorised by the ecclesiastical laws, and approved by the diocesan.

II. That all places where conventicles have been held, should remain under ecclesiastical interdict, until the persons who admitted such unlicensed persons to preach should have made satisfaction.

III. That no preacher should broach any doctrine but such as had been determined by holy mother church, or call in question any tenet which she had established, on pain of excommunication, from which he was not to be absolved till he had done penance and made a public recantation of his errors.

IV. That no instructor of youth should teach theological points contrary to the determinations of the church; or suffer his pupils to dispute, in public or private, concerning matters of faith, on pain of being punished as an abettor of heresy.

V. That no book of divinity composed by John Wickliff, or any other person since his time, should be read in schools, until first examined, approved, and licensed by one or other of the universities.

VI. That no person should presume to translate the holy Scriptures, without being properly authorized by the bishop of the place, or a provincial synod.

VII. That no clergyman should either propound any doctrine of an evil tendency, or suffer it to

be propounded, on pain of incurring the greater excommunication.

VIII. That all decrees, decretals, or constitutions touching the worship of the cross and of images, with all other outward ceremonies, should be punctually observed, under penalty incurred by an heretic relapsed.

IX. That no clerk or chaplain should officiate in any part of the province in which he was not ordained, unless furnished with letters of recommendation by his diocesan. And,

X. Lastly, That, in order to prevent the poison of heresy from spreading in the university, every warden, master, or principal of college or hall, should enquire every month into the opinions and principles of the students, reform their errors, and expel them in case of obstinacy and relapse; otherwise the said wardens should lose their preferments, and be excommunicated*.

In the beginning of the year 1409, the general council, already mentioned, met at Pisa, to put an end to the scandalous schism which had so long subsisted in the Romish church, to the scandal of all Christendom; and the following persons were nominated as commissioners at that council, on the part of the English nation: Henry Chicheley, bishop of St. David's; Robert Allen, bishop of Salisbury; William, abbot of Westminster; John, prior of Worcester; the bishop of Bath and Wells; Thomas Spofford, abbot of St. Mary's at York; Richard, earl of Warwick; Henry Fitz Hugh, lord-chamberlain; sir Walter Hungerford, sir Ralph Rakeford, and John Henyngham, doctor of laws†.

In the year 1410, Wickliff's opinions were condemned afresh, in full congregation, at Oxford, by order of the chancellor. Two hundred conclusions were condemned by the university, and several books committed to the flames. In the course of this year a dispute happened between the university and Arundel, archbishop of Canterbury, concerning his right of visitation, which, after much altercation, was referred by both parties to Henry for determination, who gave it favour of the archbishop, and this right was afterwards settled in parliament.

Not all the severities exercised upon the Lollards could hinder their opinions from gaining ground; and in the parliament held on the third of November, 1412, sir John Tiptoft, then speaker of the commons, made a very warm speech against these sectaries, and painted them in such colours, that the lords came to a resolution of addressing the king in the very strongest terms, which occasioned a statute to be passed, ordaining, "That any person preaching, publishing, or maintaining any doctrine, whereby the people might be moved to take away the temporalities of the prelates, or propagating any report of Richard's being alive (a thing which was particularly charged upon the Lollards, as doing it with a view to raise commotions in the kingdom), should be arrested, imprisoned, and obliged to find sufficient bail and mainprize, to be taken before the chancellor of England." This was the last act of persecution against the Lollards that passed in the course of this reign.

We have been the more particular in our accounts of what relates to Wickliff and his followers, as it is highly probable that his doctrines, though condemned as damnable and heretical, remained latent in the breasts of the sensible part of the na-

* Knyghton, Spelman's Concil. tom. ii.

† Rymer's Fœdera, tom. ix. p. 162, 167, 169.

tion, and proved the chief causes of the vigorous measures taken against the see of Rome. Certain it is, that Wickliff was the first that ventured to oppose the errors of the church of Rome; and though the reformation he intended did not take place immediately, he may justly be styled the first reformer, especially as the tenets he held were in fact the very same that afterwards constituted the most essential difference between the church of Rome and the reformed church of England.

There were no general synods held in the reign of Henry VI. but only convocations of the clergy in the two provinces of Canterbury and York; and the condemnation of the Lollards was almost the sole business of these assemblies, and therefore nothing farther is left for us to say on that head: but now, agreeable to the plan of this part of our work, we shall proceed to give a short account of

LEARNED MEN in the XIVth CENTURY.

THE most remarkable persons that flourished in England during this period were generally ecclesiastics, who had made some progress in divinity and the sciences, though they were only learned in respect to the times in which they lived.

William Occam, of the order of St. Francis, disciple of Duns Scotus, famous for being the head of the Nominalists against the Realists, of which his master Scotus was chief. It would be needless to explain here wherein consisted the difference between these two sects of philosophers, with which, to the great happiness of mankind, the public schools are no longer troubled.

Richard Fitz Ralph, archbishop of Armagh (promoted to that see from the deanry of Lincoln) was a great enemy to the Mendicant Friars, whom he attacked vigorously by his preaching and writings. He translated the Bible into English, and wrote two treatises, the one in defence of parish-priests against the friars, the other on auricular confession.

These two are almost the only ecclesiastics that were eminent for their piety and learning, unless we take into the account a company of schoolmen, whose idle disputes deserve not the notice of this more enlightened age. There were a few laymen who also distinguished themselves by their genius and learning; of these we shall select two of the most considerable.

Geoffrey Chaucer was a man of quality, and made a considerable figure in the courts of Edward III. and Richard II. In 1374 we find Edward III. allowing him a pitcher of wine a day out of his cellar, and a yearly salary, which is supposed to be the origin of the butt of wine and salary still allowed to the king's poet laureat: both these were continued to him by Henry IV. Chaucer possessed an admirable fund of humour, painted the manners of life with great strength of colouring, and helped to improve and purify the English language. But it was the fate of this great poet, though possessed

of an ample fortune, and a more ample genius; though loved by his prince, who employed him in many honourable posts; though admired by his countrymen, who were enamoured with his writings, to fall into misfortunes in private life. He died in the year 1400, and was buried in Westminster abbey; and his posterity became allied to the most illustrious families, nay even the blood royal of England.

John Gower was the friend and companion of Chaucer, and assistant to him in his attempts to bring the English language to a greater purity. His genius was less extensive than that of Chaucer; but his language is remarkably pure for the age he lived in.

The most noted historians of the fourteenth century were,

Thomas Wikes. His History begins at the Conquest, and ends with the death of Edward I. 1304. He was a canon regular of Osney, near Oxford, and writes as clearly and fully, especially in some passages relating to the barons wars, as so compendious a chronicle would allow him to do. Dr. Gale has published his History in his Hist. Angl. vol. ii.

John Brompton, abbot of Joreval, or Jorevaux, in Yorkshire, lived about this time. His Chronicle begins with the coming of Austin, or Augustine, in 588, and ends with the death of king Richard I. 1198. This Chronicle is published among the Decem Scriptores.

Matthew, a Benedictine monk of Westminster, ended his history at the year 1307, though it was afterwards continued by other hands. His most ancient continuator was

Adam Merimuth, canon regular of St. Paul's, an eminent civilian, who spent the latter part of his life entirely in studying and writing the English history. He begins his work in 1302, and carries it down to 1380.

L A W S.

FROM the same learned author to whom we were indebted for our state of the laws in our last period*, we shall select some general observations relating to this.

The reign of king Edward the Third was very long, and under it the law was improved to the greatest height; the judges and pleaders were very learned. The pleadings are somewhat more polished than those in the time of king Edward I. and are neither so uncertain, prolix, nor obscure; they were plain and skilful, and in the rules of law, especially in relation to real actions and titles of inheritance, very learned and excellently polished, and exceeded those of the time of Edward I. so that at the latter end of this king's reign, the law seemed to be near its meridian. The reports of this king's time run from the beginning to the end of his reign, excepting some few years between the tenth and seventeenth, and thirtieth and thirty-third year of his reign; but those omitted years are extant in many hands, in old manuscripts; and quere, if they are not all printed in Maynard's Edward III. The Book of Assizes is a collection of the assizes that happened in the time of Edward III. being, from the beginning to the end, extracted out of the books of assize of those who attended the assizes in the country. The justices itinerant continued, by intermitting vicissitudes, till about the fourth of Edward III. and some till the tenth of Edward III. Their jurisdiction extended to pleas of the crown, or criminal causes, civil suits, and pleas of liberties and "Quo warranto." The reports thereof are not printed, but are in many hands in manuscript, both of the times of Edward I. Edward II. and Edward III. full of excellent learning: some few broken reports of those eyres, especially of Cornwall, Nottingham, Northampton, and Derby, are collected by Fitz Herbert in his Abridgment. After the tenth of Edward III. we do not find any justices errant ad communia placita forestæ; other things that concerned those justices itinerant were supplied and transacted by the Common Bench; for communia placita, in the King's Bench; and Exchequer for placita de libertatibus; and before justices of assize, nisi prius, oyer and terminer, and gaol-delivery, for assizes and pleas of the crown. And thus much for the law in the time of Edward III.

Richard II. succeeding his grand-father, the dignity of the law, together with the honour of the kingdom, by reason of the weakness of this prince, and the difficulties occurring in his government, seemed somewhat to decline, as may appear by comparing the twelve last years of Edward III. commonly called Quadrigesims, with the reports of king Richard II. wherein appears a visible declination of the learning and depth of the judges and pleaders. It is true we have no printed continued report of this king's reign; but the entire years and terms thereof are extant in a manuscript, out of which, or some other copy thereof, Fitz Herbert probably abstracted those broken cases of this reign in his Abridgment. In all those former times, especially from the end of Edward III. back to the beginning of Edward I. the learning of the

common law consisted principally in assizes and real actions; and rarely was any title determined in any personal action, unless the cases of titles to rents, or services, by replevin; and the reasons thereof were principally these, viz. first, because these ancient times were great favourers of the possessor; and therefore, if about the time of Edward II. a disseisor had been in a possession for a year and a day, he was not to be put out without a recovery by assize: again, if the disseisor had made a feoffment, they did not countenance an entry upon the feoffee, because thereby he might lose his warranty, which he might save if he was impleaded in an assize or writ of entry; and by this means real actions were frequent, and also assizes. Secondly, they were willing to quiet men's possessions; and therefore, after a recovery, or bar in an assize or real action, the party was driven to an action of a higher nature. Thirdly, because there was no known action, wherein a person could recover his possession, other than by an assize or a real action; for, till the end of Edward IV. the possession was not recovered in an ejectione firmæ, but only damages. Fourthly, because an assize was a speedy and effectual remedy to recover a possession, the jury being ready impaneled and at the bar the first day of the return: and although, by disusage, the practicers of the law are not so ready in it, yet the course thereof in those times was as ready, and as well known to all professors of the law, as the course of ejectione firmæ is now.

Touching the reports of the years and terms of Henry IV. it can only be said they do not arrive, either in the nature of the learning contained in them, or in the judiciousness or knowledge of the judges and pleaders, nor in any other respect, to the perfection of the last twelve years of Edward III.

After this general sketch of the state of the laws during these three reigns, we shall now give some of the most material statutes passed under each king.

E D W A R D III.

STATUTES made at YORK, 9 Edward III.

STATUTE I.

CAP. I. Merchant strangers, denizens, and all others, may freely buy and sell within the realm, without interruption, except they be alien enemies: and those that disturb merchants within a franchise from selling their commodities, shall, upon being convicted, answer double damages to the party grieved, suffer one year's imprisonment, and be ransomed at the king's will, and the franchise to be seized into his hands: and what punishment shall be inflicted in case of a disturbance, if it be out of a franchise. Yet aliens shall carry no wine out of this nation. And it appoints who shall have power to hear and determine all such misdemeanors.

Cap. II. None shall lose their lands from henceforth by reason of non-replevin.

Cap. III. In a writ of debt brought against divers executors, they shall have but one esoin before appearance, and but one other after; for they

* Analysis of the Common Law.

represent the testator but as one person. The rest concerns the process that shall be served against them on their non-appearance, or for default after appearance, &c. to be found in the statute.

Cap. IV. Appoints how a deed shall be tried and proved, that is, dated within a franchise where the king's writ reacheth not.

Cap. V. Justices of assize, gaol delivery, and oyer and terminer, shall yearly, at Michaelmas, send all their records and processes, determined and put into execution, into the Exchequer, which the treasurer and chamberlain there shall receive under their seals, to keep them in the treasury. Howbeit, the said justices shall take out the estreats of the said records and processes to send them to the Exchequer, as they were wont to do.

The STATUTE of MONEY, made at York, 9 Ed. III.

STATUTE II.

Cap. I. None, without the king's leave, shall export any gold or silver, in money or plate, on pain of forfeiting the same.

Cap. II. No false money, or counterfeit sterling, shall be brought into any of the king's dominions on pain of forfeiting the same: but all strangers, of what realm soever, may safely bring to the Exchequer good money or bullion, and receive convenient exchanges for the same.

Cap. III. No sterling farthing or half-penny shall be molten to make vessel or any other thing, on forfeiture of the money so molten, and imprisoned till one half of the money so molten be paid.

In the year 1350, the twenty-fifth of his reign, in a parliament held at Westminster, about the feast of St. Hillary, the following statute was made, declaring what offences should be adjudged treason.

STATUTE of TREASON.

Whereas divers opinions have been before this time, in what case treason shall be said, and in what not; the king, at the request of the lords and commons, hath made a declaration in the manner as hereafter followeth, that is to say,

I. When a man doth compass or imagine the death of our lord the king, or of our lady his queen, or of their eldest son and heir.

II. If a man do violate the king's companion (i. e. the queen), or the king's eldest daughter unmarried, or the wife of the king's eldest son and heir.

III. If a man do levy war against our lord the king, in his realm; or be adherent to the king's enemies in his realm, giving to them aid and comfort in the realm or elsewhere, and thereof be probably attainted of open deed by the people of their condition (i. e. convicted by their peers.)

IV. If a man do counterfeit the king's great or privy-seal, or his money.

V. If a man do bring false money into this realm counterfeit to the money of England, knowing such money to be false, to merchandize or make payment, in deceit of our said lord the king, or of his people.

VI. If a man kill the chancellor, treasurer, or the king's justices of the one bench or the other, justices in eyre, or justices of assize, and all other justices assigned to hear and determine, being in their places doing their offices.

VII. And it is to be understood, that in the cases above rehearsed, that ought to be adjudged treason which extends to our lord the king and his royal majesty.

VIII. And of such treason the forfeiture of the escheats pertaineth to our sovereign lord, as well of the lands and tenements holden of others as of himself.

IX. And, moreover, there is another manner of treason, that is to say, when a servant slayeth his master, or a wife her husband; or when a man, secular or religious, slayeth his prelate, to whom he oweth faith and obedience.

X. And of such treason the escheats ought to pertain to every lord of his own fee.

XI. And because that many other like cases of treason may happen in time to come, which a man cannot think or declare at this present time, it is accorded, that if any other case, supposed treason, which is not above specified, doth happen before any justices, the justices shall tarry, without any going to judgment of the treason, till the cause be shewed and declared before the king and his parliament, whether it ought to be adjudged treason or other felony.

XII. And if percase any man of this realm ride armed, covertly or secretly, with men at arms, against any other, to slay him, or rob him, or take him, or retain him till he hath made fine or ransom for to have his deliverance, it is not the mind of the king nor his council, that in such case it should be judged treason, but shall be judged felony or trespass, according to the laws of the land of old time used, and according as the case requireth.

XIII. And if in such case, or other like, before this time, any justices have judged treason, and for this cause the lands and tenements have come into the the king's hands as forfeits, the chief lords of the fee shall have the escheats of the tenements holden of them, whether that the same tenements be in the king's hands or in others, by gift or in any other manner.

XIV. Saving always to our lord the king the year and the waste, and the forfeiture of challenge, which pertain to him in the cases above-mentioned.

XV. And that the writs of "Scire facias" be granted in such cases against the land-tenants, without other original, and without allowing the protection of our lord the king in the said suit.

XVI. And that of the lands which be in the king's hands, writs be granted to the sheriffs of the counties where the lands lie, to deliver them out of the king's hands without delay*.

In the same year the remarkable Statute called "of Provisors" passed, of which the following is an abstract.

STATUTE of PROVISORS of BENEFICES.

Whereas the bishop of Rome, accroaching to to him the seignories of all possessions and benefices within this realm of England, hath given and granted the same benefices to aliens which did never dwell in England, and to cardinals which might not dwell here, and to others as well aliens as denizens, as if he were patron or advower of the said dignities and benefices, as he was not of right by

* See Statutes at Large, 25 Ed. III. cap. ii.

the law of England, whereby if they should be suffered, there should scarcely be any benefice within a short time in the said realm, but that it should be in the hands of aliens and denizens by virtue of such provisions, against the good will and disposition of the founders of the said benefices, and so the elections of archbishops, bishops, and other religious should fail, and the alms, hospitalities, and other works of charity in the said places should be withdrawn, &c. &c. And whereas it is now shewed to our lord the king, by the grievous complaints of the commons of his realm, that the grievances and mischiefs aforeaid do daily abound, to the greater damage and destruction of all his realm of England, and that the pope giveth the benefices of the church, and reserveth the first fruits to himself, and many other profits; and a great part of the treasure of the said realm is carried away and dispended out of the realm by the purchasers of such benefices and graces aforeaid; and also, by such reservations, many clerks, advanced in this realm by their true patrons, which have peaceably holden their advancements by long time, be suddenly put out — Therefore — our lord the king — willing to ordain remedy for the great damages and mischiefs which have happened to the church of England by the said causes, by the assent of all the great men and commonalty of the said realm, to the honour of God and profit of the said church of England, and of all his realm, hath ordained and established,

I. That the free elections of archbishops, bishops, and all other dignities and benefices elective in England, shall hold from henceforth in the manner as they were granted by the king's progenitors, and the ancestors of other lords, founders of the said dignities and other benefices.

II. And that all prelates, and other people of holy church, which have advowsons of any benefices of the king's gift, or of any of his progenitors, or of other lords and donors, to do divine services and other charities thereof ordained, shall have their collations and presentments freely to the same in the manner as they were infeoffed by their donors.

III. And in case that reservation, collation, or provision be made by the court of Rome of any archbishopric, bishopric, dignity, or other benefice, in disturbance of the free elections, collations, or presentments afore-named, that at the same time of the voidure (i. e. vacancy), that such reservations, &c. ought to take effect, our lord the king and his heirs shall have and enjoy for the same time the collations to the archbishoprics and other dignities elective, which be of his advowry, such as his progenitors had before that free election was granted, since that the election was first granted by the king's progenitors upon a certain form and condition, as to demand licence of the king to chuse, and, after the election, to have his royal assent, and not in other manner; which conditions not kept, the thing ought by reason to resort to its first nature.

And in like manner, through several sundry articles, it is provided, "That patrons and founders of the dignities of the church, and their heirs, shall have the collation or presentation to them, being void:" and that "where the pope maketh provision, reservation, or the like, to a dignity of the church, or any other benefice, the king, or

such patrons and founders, and their heirs, shall have the the right of presentation." And by the sixth clause in the sixth chapter, it is provided,

VI. And in case that the progenitors of the king, or the progenitors of such patrons or advowsons aforeaid, to whom the king, or such patrons, have given benefices pertaining to their presentments or collations, be disturbed by such provisors, so that they may not have possession of such benefices, or, having possession, be impeached (that is, ejected or molested) upon their said possessions by such provisors, then the said provisors, their procurators, executors, and notaries, shall be attached by their body, and brought in to answer.

VII. And if they be convict, they shall abide in prison, without being let to mainprize or bail, or otherwise delivered, till they have made fine or ransom to the king at his will, and the gree (or liking) of the party that shall feel himself grieved.

VIII. And, nevertheless, before that they be delivered, they shall make full renunciation, and find sufficient security, that they shall not attempt such things in times to come, nor sue any process, by themselves or by others, against any man, in the court of Rome, nor in any part elsewhere, for any such imprisonments or renunciations, nor any other thing depending of them.

Lastly, It was provided, that this statute should have place as well of reservations, collations, and provisions made and granted in times past, against all men which have not yet obtained corporal possession of the benefices granted to them by the same (papal) reservations, collations, and provisions, as against all other in time to come. And this statute was to hold place and to begin at the Utas (or eighth day following) the feast of the Purification of our Lady (viz. the tenth of February), in the year 1350*.

In the twenty-seventh year of his reign was enacted the famous statute of Præmunire, which ran as follows.

STATUTE OF PRÆMUNIRE.

Our lord the king, by the assent and prayer of the great men and commons of his realm of England, at his great council holden at Westminster, the Monday next after the feast of St. Matthew the Apostle, the twenty-seventh year of his reign of England, and of France the fourteenth, in amendment of his said realm, and maintenance of the laws and usages, hath ordained and stablished these things underwritten.

I. Because it is shewed to our lord the king, by the grievous and clamorous complaints of the great men and commons aforeaid, how that divers of the people be, and have been, drawn out of the realm to answer of things whereof the cognizance pertaineth to the king's court.

II. And also, that the judgments given in the same court be impeached in another court, in prejudice and disherison of our lord the king and of his crown, and of all the people of his said realm, and to the undoing and destruction of the common law of the same realm at all times used.

III. Whereupon good deliberation being had with the great men and others of his said council, it is assented and accorded by our lord the king, that all

* See Statutes at Large, 25 Ed. III.

the people of the king's liegance, of whatever condition they be, which shall draw any out of the realm in plea, whereof the cognizance pertaineth to the king's court, or of things whereof judgment be given in the king's court, or which do sue in any other court to defeat or impeach the judgment given in the king's court, shall have a day, containing the space of two months, by warning to be made to them in the place where the possessions lie which be in debate, or otherwise where they have lands or other possessions, by the sheriff, or other the king's ministers, to appear before the king and his council, or in his chancery, or before the king's justices in his places of the one bench or the other, or before other the king's justices which to the same shall be deputed, to answer in their proper persons to the king of the contempt done in this behalf.

IV. And if they come not at the said day in their proper persons to be at the law, they, their procurators, attorneys, executors, notaries, and maintainers, shall from that day forth be put out of the king's protection, and their lands, goods, and chattels forfeit to the king, and their bodies, wherefoever they may be found, shall be taken and imprisoned at the king's will.

V. And upon the same a writ shall be made to take them by their bodies and seize their lands, goods, and possessions into the king's hands.

VI. And if it be returned that they cannot be found, they shall be put in exigent and outlawed: provided always, that at what time they come before they be outlawed, and will yield them to the king's prison, to be justified by the law, and to receive that which the court shall award in this behalf, that they shall be thereto received; the forfeitures of their lands, goods, and chattels abiding in their force, if they do not yield them within the said two months as afore is said.

Before we conclude the account of the laws enacted under this great king, we shall, from Mr. Anderson's excellent Treatise of Commerce, give certain heads of a sumptuary law, passed in the twenty-seventh of Edward III. when increasing wealth had brought on an increase of luxury amongst all ranks of people in England.

In cap. VIII. the preamble sets forth, "the extravagant and excessive apparel of several sorts of people, beyond their estate and degree, to the destruction and impoverishment of all the land:" wherefore it was enacted,

"That men-servants of lords, as also of tradesmen and artizans, shall be content with one meal of milk, cheese, butter, and the like; and the cloth they wear shall not exceed the price of two marks for the whole piece: neither shall they use any ornaments of gold, silver, silk, or embroidery; nor their wives and daughters any veils above the price of twelve pence.

Cap. IX. Artizans and yeomen shall not wear cloth above forty shillings the whole piece (our finest cloth was then worth about six pounds the piece); nor the ornaments before-named; nor their wives any veils of silk, but only those of thread, made in England.

Cap. X. Gentlemen under the degree of knights, not having one hundred pounds yearly in land,

shall wear no cloth above four marks and a half the whole piece; neither shall they, nor their females, use cloth of gold, silver, or embroidery. But esquires, having two hundred pounds or upwards of yearly rent, may wear cloth of five marks the whole piece or cloth, and they and their females may also wear stuff of silk, silver, ribbons, girdles, or furs.

Cap. XI. Merchants, citizens, burghers, artificers, or tradesmen, as well of London as elsewhere, who have goods and chattels of the clear yearly value of five hundred pounds, and their females, may wear as is allowed to gentlemen and esquires of one hundred pounds per annum. And merchants, citizens, and burghers worth above one thousand pounds in goods and chattels, may, with their females, wear the same as gentlemen of two hundred pounds per annum.

Cap. XII. Knights of two hundred marks yearly, may wear cloth of six marks the cloth, but no higher; but not cloth of gold, nor furred with ermine, &c. But all knights and ladies having above four hundred marks yearly, up to one thousand pounds per annum, may wear as they please, ermine excepted; and they may use ornaments of pearl and precious stones for their heads only.

Cap. XIII. Clerks having degrees in cathedrals, colleges, &c. may wear as knights and esquires of the same income.

Cap. XIV. Ploughmen, carters, shepherds, and such like, not having forty shillings value in goods and chattels, shall wear no sort of cloth but blanket and russet lawn, of twelve pence; and shall wear girdles or belts: and they shall only eat and drink suitable to their stations. And whoever uses other apparel than is prescribed by the above laws, shall forfeit the same.

Cap. XV. Clothiers shall make suitable quantities of cloth of all the before named prices; and mercers and shopkeepers, in towns and cities, shall keep, due sortments thereof, that so those laws may be duly observed.

And here Mr. Anderson, with great justness of discernment observes, "though in all wealthy countries luxury will be ever growing up; yet it is not for the general benefit of commerce to impose, as in the above laws, an absolute prohibition of every degree of it: yet some may think it may be just, and for the benefit of the public; that such as will step so far out of their proper ranks as to eat, drink, and wear what no way becomes their station, should be taxed accordingly, could it be done without involving therein those who have a just title to such indulgence. This, however, is a point which should be very maturely weighed before it be executed. And in mercantile countries (if not everywhere else) the above-named restraints will ever be found hurtful, and in some measure impracticable, where true freedom is firmly established*."

Among many additions to the liberties of the people made in this reign were the statute enacting, that merchants importing false money, should be punished as false coiners: that justices of the peace should be chosen from amongst the principal freeholders of the counties they were to act in; and that this office should not be granted for life.

* Anderson's Origin of Commerce, vol. i. p. 194.

TAXES in the reign of EDWARD III.

In the sixth year of his reign he had granted him a fifteenth by the counties, and a tenth by the cities and boroughs.

In the tenth year he had the same tax from the clergy and laity.

In the eleventh year he had a three years tenth given him by the clergy in convocation; a three years tenth given him by citizens and burghesses, in parliament; and by others a three years fifteenth; to maintain the war then begun with France, and to pay the Germans, Brabanders, and other confederates on the borders of Germany, against the French.

In the thirteenth year the great men gave him the tenth sheaf of all manner of grain of their demesne lands, except of their bond tenants; with the tenth fleece and the tenth lamb. This was in the first parliament this year, held fifteen days after Michaelmas: then a parliament was summoned to meet eight days after St. Hillary, in which the commons gave the king thirty thousand sacks of wool.

In the fourteenth year the prelates, earls, barons, for themselves and their tenants; the knights of counties, for themselves and the commons of the land, granted to the king the ninth sheaf, fleece, and lamb: but the citizens and burghesses gave the ninth of all their goods, according to the true value, for two years next; and those that lived not in cities and boroughs, nor lived upon tillage, nor shop-traders, paid the fifteenth of all their goods, according to the true value.

In the fifteenth year the ninth were revoked, in respect of a grant of twenty thousand sacks of wool.

In the eighteenth, the clergy of the province of Canterbury granted a three years tenth; and the knights of counties gave two fifteenths and two tenths of cities and boroughs; and afterwards the commons granted another fifteenth. The lords granted to go with the king in person, and therefore gave nothing.

In the twentieth year the commons granted two fifteenths, to be levied in two years, in cities, boroughs and ancient demesnes, as also of the commons of the counties.

In the twenty-second year the commons granted three fifteenths, to be levied in three years, so as one fifteenth was levied in one year, and no more.

In the twenty-fifth year, the great men of the realm and the commonalty granted the king three tenths, to be levied in three years.

In the twenty-seventh, the king made it his request to the prelates, great men, and commons to grant him the subsidy of wool-fells and leather, for some time: to which they consented, and granted the same for three years.

In the twenty-ninth he had the subsidy of wool, leather, and wool-fells for six years next coming, on condition that, during that time, no other imposition should be laid on the commons.

In the thirty-sixth year the great men and commons granted the king twenty shillings on every sack of wool, twenty shillings on every three hundred of wool-fells, forty shillings on every last of leather, besides the ancient custom of half a mark of all denizens, and ten shillings of strangers, and one mark for every last of leather of denizens, and twenty shillings of strangers, for three years.

In the forty-second year, the prelates, great men, and commons granted the subsidy of wool, wool-fells, and leather, for two years: of every sack of wool and every twelve score of wool-fells, thirty-six shillings and eight pence; of every last of leather, four pounds, besides the ancient custom as before.

In the forty-third year the lords and commons granted him the subsidy as above for three years; forty-three shillings and four pence on every sack of wool which passed beyond sea; as much on every twelve score of wool-fells; four pounds for every last of leather; besides the ancient custom of strangers, for every sack of wool four marks, of every twelve score wool-fells four marks, and of every last of leather eight marks, besides the ancient custom.

In his forty-fifth year the great men and commons granted a subsidy of fifty thousand pounds, to be levied of every parish in the land, at the rate of twenty-two shillings and three pence per parish, so as the parishes of greater value should contribute rateably to those of less value.

In the forty-sixth year the lords and commons granted, for two years, the subsidy of wool, wool-fells, and leather, as it was granted in the forty-third year; together with a fifteenth for one year, to be levied as the last was. Besides this, the citizens and burghesses in this parliament granted, for the safe conveying of their ships and goods, two shillings upon every tun of wine, and six pence in the pound of all goods for a year.

In the forty-seventh year the lords and commons granted a fifteenth, as it had been in ancient manner levied, for two years: they also gave tonnage and poundage for two years, as it was given the last year, of all merchandize, imported and exported, except of wool, wool-fells, and leather; and then granted the subsidy of them for the next year coming.

In the fiftieth year the lords and commons granted the subsidy of wool, leather, and wool-fells, for three years, as it had been granted in the forty-seventh-year. And,

In his fifty-first year they granted him four pence of every person of the kingdom, male and female (except very beggars), above the age of fourteen years. Tyrrel, vol. iii. p. 778 — 780.

RICHARD II.

BY an act of parliament of the fifth year of this king's reign (cap. III.) we have the first or oldest act of navigation that was ever made in England, in substance as follows:

"That for increasing the shipping of England, of late much diminished, be it enacted, that none of the king's subjects shall hereafter ship any kind of merchandize, either "outward" or "homeward," but only in ships of the king's subjects, on forfeiture of ships and merchandize; in which ships also the "greater part" of the crews shall be the king's subjects."

By this act it appears that the then legislature understood the great utility of having our ships and mariners employed instead of foreign ones; yet, by cap. VIII. of the following year, where no English ships were to be had, merchants were allowed to export or import in foreign ships.

In this reign we find the commons, after granting the king a large supply, which they thought had been misapplied, appointing commissioners to examine

examine what use the crown-revenues had been put to, and ordering them to lay the result of their enquiry before the parliament at the annual session next ensuing. These powers, confirmed under the great-seal of England, recited,

“ That the king, of his own free will, and at the request of the lords and commons, had changed the great officers of the crown, for the good government of the kingdom, the good and due execution of the laws, and in relief of his own estate and ease of his people, had appointed eleven commissioners, namely, William, archbishop of Canterbury; Alexander, archbishop of York; Edmund, duke of York, and Thomas, duke of Gloucester, the king's uncles; William, bishop of Winchester; Thomas, bishop of Exeter; Nicholas, abbot of Waltham; Richard, earl of Arundel, John lord Cobham, Richard le Scroope, and John Devereux, to be his great and continual council for the year next coming after the date of these letters patents: by which power was given them to survey and examine all the king's offices, courts, household, and the government of the whole kingdom; to receive all his revenue, as well subsidies as taxes and other payments, to do what they would in the kingdom, and to amend all things according to their discretions: and these powers were given to any six of them, with his three great officers, willing that if any difference in opinion should happen between his counsellors and those officers, that the matter should be determined by the major part of them; commanding and charging all prelates, dukes, earls, barons, the steward, treasurer, and comptroller of his household, the justices of both benches, and other his justices whatsoever, barons and chamberlains of the Exchequer, sheriffs, escheators, mayors, bailiffs, and all other his officers, ministers, and lieges whatever, that they shall be obedient, counselling, and assisting to the said commissioners and officers, so often and in what manner they shall direct. Dated at Westminster, the nineteenth day of November, 1386, in the tenth year of his reign*.”

We have already shewn, in the ecclesiastical history of this period, the vigorous measures which Richard and his court thought themselves under a necessity to take against the continual encroachments of the papal see; and that the archbishops of Canterbury and York did, for form sake, enter a protest against any statute or law made in resistance of the pope's authority. This brought an impeachment upon the archbishop of Canterbury, but in his answer that prelate proved, that, however zealous he was for the church of Rome, he was no votary to her court, nor an advocate for the violent proceedings thereof: in a word, the archbishop's defence was so pleasing to the parliament, that it served as the preamble to a new statute of *præmunire* passed in the sixteenth year of Richard's reign, A. D. 1392, which was more comprehensive than that of 27 Edward III. as will appear by the following abstract thereof.

STATUTE of *PRÆMUNIRE* against such who purchase Bulls from Rome.

Whereas the commons of the realm, in this present parliament, have shewed to our redoubted lord the king, grievously complaining, “ That

whereas our said lord the king, and all his people, ought of right, and of old time were wont, to sue in the king's court to recover their presentments to churches, prebends, and other benefices of holy church, to the which they had right to present; the cognizance of which presentment belongeth only to the king's court, of the old right of his crown, and approved in the time of all his progenitors, kings of England; and where judgment shall be given in the same court upon such a place and presentment, the archbishops, bishops, and other spiritual persons, which have institution of such benefices within their jurisdiction, be bound and have made execution of such judgments, by the king's commandment, of all the time aforesaid, without interruption (for another person cannot make such execution); and also are bound of right to make execution of many other of the king's commandments, of which right the crown of England hath been peaceably seized, as well in the time of our said lord the king that now is, as in the time of all his progenitors, to this day.

“ But now of late divers provisors be made by the bishop of Rome, and censures of excommunication upon certain bishops of England, because they have made execution of such commandments, to the open disherison of the said crown, and destruction of the regality of our said lord the king, his law, and all the realm, if remedy be not provided.

“ And also it is said, and a common clamour is made, that the said bishop of Rome hath ordained, and purposed to translate some prelates of the said realm, some out of the realm, and some from one bishopric into another within the same realm, without the king's assent or knowlege, and without the assent of the prelates which so shall be translated, which prelates be much profitable and necessary to our said lord the king, and to all his realm; by which translations (if they should be suffered) the statutes of the realm should be defeated and made void; and his said liege sages of his council, without his assent and against his will carried away and gotten out of his realm; and the substance and treasure of the realm shall be carried away, and so the realm left destitute as well of council as of substance, to the final destruction of the same realm: and so the crown of England, which hath been so FREE at all times that it hath been IN NO EARTHLY SUBJECTION, but immediately subject to God in all things touching the regality of the same crown, AND TO NONE OTHER, should be submitted to the pope, and the laws and statutes of the realm by him defeated and avoided at his will, in perpetual destruction of the sovereignty of our lord the king, his crown, his regality, and of all his realm, which God defend (i. e. forbid).”

Then follow several articles, reciting, that the commons for themselves, the lords temporal for themselves, the lords spiritual for themselves, and the procurators for the lords spiritual being absent (the two latter, however, with a salvo to the pope's just rights and authority, as head of the church), do severally promise to assist the king in the defence of the liberties of the crown. The statute then goes on:

“ Whereupon our said lord the king, by the assent aforesaid (of the lords temporal and spiritual), and at the request of the said commons, hath ordained and established,

* See Appendix to Ruffhead's Statutes at Large.

I. That if any purchase or pursue, or cause to be purchased or pursued, in the court of Rome, or elsewhere, any translations, provisors, or sentences of excommunication, bulls, instruments, or any other things whatsoever, that touch the king, against him, his crown, or regality, or his realm, as is aforesaid, and they which bring within the realm, or them receive, or make thereof notification, or any execution whatsoever, within the same realm, or without, that they, their notaries, procurators, maintainers, abettors, fautors, and counsellors, shall be put out of the king's protection.

II. Their lands and tenements, goods and chattels, forfeit to our lord the king.

III. And they shall be attached by their bodies, if they may be found, and brought before the king and his council, there to answer the cases aforesaid.

IV. Or process shall be made against them by "*Præmunire facias*," in manner as it is ordained in other statutes of provisors.

V. As also all others that do sue in any other court, in derogation of the regality of our lord the king.

As the term *Præmunire* often occurs in the English history, it will not be improper to give an explanation of it in this place from Mr. Rapin: "By *Præmunire*, then, is meant either the statute itself, or the penalty: when any person was guilty of infringing the Statute of Provisors, by suing at the court of Rome for bulls called Provisions, or *Gratiæ expectivæ*, for benefices that were or should be vacant, a writ or order was issued against them, beginning with these words, "*Præmunire facias*" (supposed to be used in the barbarous law Latin for *Præmonere*), whereby he was commanded to appear in the king's court: hence the statute, as well as the penalty, was called *Præmunire*. In process of time several other offences, of a like nature with these that were the first causes of the statute, were made liable to the same penalty. In general, the *Præmunire* chiefly concerns offences committed in matters ecclesiastical belonging to the civil jurisdiction."

The almost continual state of opposition in which Richard lived with his parliament, and which at length brought on his deposition, is the cause that this reign furnishes us with no other new law of any consequence; on the contrary, the wholesome statutes enacted in former reigns were subverted for a time by his evil counsellors: we shall therefore proceed to give an account of the numerous

TAXES in the reign of RICHARD II.

In the first year of his reign the lords and commons granted the king two fifteenths without cities and boroughs, and two tenths within them, for two years, praying that the same might be given in trust to especial treasurers by the king's appointment, who fixed on William Walworth and John Philpot, merchants of London, who gave an account of the same*.

The prelates, lords and commons granted him, for the defence of the realm, the subsidy of wool, wool-fells, and leather, for three years; of wool forty-three shillings and four pence per sack; as much on every two hundred and forty wool-fells, and four pounds six shillings and six pence on every last of leather exported by denizens and strangers;

and, as an additional grant, they gave thirteen shillings and four pence more on every sack of wool, as much for every two hundred and forty wool-fells, and twenty-six shillings and eight pence for every last of leather: they also gave six pence in the pound on all goods imported and exported, for one year.

In his second year they gave one fifteenth and a half without cities and boroughs, and one tenth and an half within; and extended the last subsidy of wool, wool-fells, and leather to one year longer.

In his third year the lords and commons granted a supply of a very extraordinary nature: it was a kind of poll or rather capitation-tax, according to the abilities of the lay people; and as it must be of great curiosity to all, and may be of some use to many, of our readers, we shall from the record give the mode of taxation.

It was ordered to be paid by divers persons in the kingdom in the following manner:

The duke of Lancaster and the duke of Brittany ten marks.

Every earl, and every countess a widow, four pounds each.

Every baron and every baroness a widow, and every banneret and banneress a widow, forty shillings.

Every bachelor and esquire, who by statute ought to be a knight, and the widows of such, twenty shillings.

Every esquire of lesser degree, and every widow of such, as also the widows of sufficient merchants, six shillings and eight pence.

Every esquire without possessions, lands, rents, or goods, that is in service or bears arms, three shillings and four pence.

The chief prior of the hospital of St. John, as a baron, forty shillings.

Every commander of the said order in England, as a bachelor, twenty shillings.

Every other brother knight of the same order, fourteen shillings and four pence.

The justices of each bench, and the chief-baron of the Exchequer, each one hundred shillings.

Every serjeant and great apprentice of the law, each forty shillings.

All other apprentices of the law, twenty shillings.

All apprentices following the law, of lesser degree, and attorneys, each six shillings and eight pence.

The mayor of London to pay as an earl, four pounds.

The aldermen of London, each as a baron, forty shillings.

All other mayors of great towns in England, each as a baron, forty shillings.

Mayors of small towns, according to the value of their estates, twenty shillings, ten shillings, or six shillings and eight pence.

All sufficient merchants, thirteen shillings and four pence.

All lesser merchants, artificers, and husbandmen, according to the value of their estate, six shillings and eight pence, three shillings and four pence, two shillings, one shilling, or six pence.

Every serjeant and freeman of the county, according to his estate, six shillings and eight pence, or forty pence.

* Rot. Parl. 1. Rich. II.

The farmers of manors, parsonages, and granges, merchants of beasts, and other buyers and sellers, according to their estate, six shillings and eight pence, forty pence, two shillings, and twelve pence.

All advocates, notaries, or proctors, who are married, shall pay as serjeants of the law, apprentices of the law, and attorneys, each according to their estate, forty shillings, twenty shillings, or six shillings and eight pence.

All apparitors that are married, according to their estate, three shillings and four pence, two shillings, or one shilling.

All innkeepers, according to their estate, forty pence, two shillings, or twelve pence.

Every married man, for himself and his wife, that hath not the estate of a merchant, and above the age of sixteen, except very beggars, four pence.

Every unmarried man and woman of such an estate, and above the age of sixteen, four pence.

Also every strange merchant, of what condition soever, shall pay, according to his ability, as other denizens*.

In the fifth year of Richard II. the lords and commons granted the subsidy of wool, wool-fells, and leather, as was last granted, for four years.

In his sixth, a fifteenth and a tenth.

In his seventh, in the first parliament, two half fifteenths; and in the second parliament, holden at Salisbury, half a fifteenth, and half a tenth, for the maintaining his own estate, and for the defence of the kingdom.

In his eighth, a fifteenth for the like use.

In his ninth, the lords, great men, and commons granted to the king, for the voyage of the duke of Lancaster into Spain, a tenth and fifteenth, and half a tenth and fifteenth: and for himself, the subsidy of wool and wool-fells, above the ancient custom of six shillings and eight pence per sack, forty-two shillings and four pence of denizens, and forty-six shillings and eight pence of strangers, and of leather and wool-fells in like manner, according to the rate.

In his tenth year he had half a tenth and half a fifteenth, also three shillings a tun upon wine, and twelve pence in the pound upon other merchandize, imported and exported.

In his eleventh year the parliament of the third of February granted him the like subsidy; as also forty-three shillings and four pence on the sack upon wool, above the ancient custom, upon denizens, and forty-six shillings and eight pence upon strangers; upon every two hundred and forty wool-fells the same duty, upon both denizens and strangers, as upon wool; upon every last of leather six marks and six shillings and eight pence upon denizens, besides the ancient custom; and upon strangers seven marks.

In his twelfth year the lords and commons granted a subsidy of wool transported, &c. thirty-three shillings and four pence the sack upon denizens, and thirty-six shillings and eight pence the sack upon strangers.

In the fourteenth year of Richard II. the lords and commons granted the king, for three years, a subsidy of wool, &c. three shillings upon every tun of wine, and twelve pence upon every pound of merchandize, as in the eleventh year, so as the same was employed only for the defence of the realm.

In the fifteenth year they granted half a fifteenth, and half a tenth, if the king went to France in his own person; and besides, a whole fifteenth and tenth if there should be war.

In the sixteenth year he had tonnage and pounage, as above, for three years.

In the seventeenth, he had six pence upon every pound of merchandize, and three shillings and six pence upon every tun of wine.

In the eighteenth year the lords and commons granted him a tenth and a fifteenth, for the Irish expedition.

In the twentieth year he had twelve pence in the pound on goods, and three shillings on every tun of wine.

Lastly, in the twenty-first year of his reign, the parliament of Shrewsbury granted him the subsidy of wool, leather, and wool-fells, during his life; and one tenth and one fifteenth, and half a tenth and half a fifteenth.

H E N R Y I V.

THE first act of the parliament summoned after the accession of Henry of Lancaster, was to restore to their full force all the acts that had been set aside during the weak administration of Richard II. and the rights and privileges of the people were once more fixed: but, after the dissolution of this parliament, another succeeded, distinguished by the name of the Illiterate Parliament, when the king was permitted to make continual encroachments on these valuable privileges; and being of an arbitrary disposition, no new laws were enacted, but things remained in an unsettled state to the end of this period.

In the eighth year of his reign he made an attempt to get the crown entailed on his male issue, and procured a law to be passed, by which "the crown of England, and all the hereditaments and rights whatsoever, was, by authority of parliament, with large conveyance, entailed to the king and to the heirs male of his body lawfully begotten; in like sort to the prince of Wales, and in his default to the lords Thomas and Humphrey, successively: but this act was quickly repealed, and the crown was insured to the king and his sons in general tail.

We must not forget to observe that in the beginning of this reign the bloody statute against the Lollards, mentioned in our ecclesiastical history, and called *De heretico comburendo*, was enacted, which statute remained unrepealed till the year 1677.

TAXES in the reign of HENRY IV.

In his first year, the parliament granted Henry the subsidy on wool for three years: and the remainder of the tenth and fifteenth, which having been granted to Richard some time before, was not, however to be levied till Michaelmas.

In his second he had a grant of a tenth and a fifteenth, besides the duties of two shillings a tun on all wines for two years: and seven pence in the pound on all merchandize for the same term: wool and leather, which already paid a subsidy, were excepted out of this grant.

In his sixth year they granted him twenty shillings on every knight's fee, and on twenty pounds

* Guthrie. Tyrrel. Brady.

a year in land held by any other tenure; and so proportionably on lesser estates; and two-and-twenty pence on twenty pounds in goods and chattels.

The parliament of Coventry, or the Illiterate Parliament, as it was called, granted two fifteenths, besides continuing the tonnage and poundage and the subsidy of wool and leather, for near three years longer: but they appropriated the whole produce of these different taxes to the service of the public, except six thousand pounds, which they allowed Henry for his own use), ordering the monies raised to be paid into the hands of Thomas, lord Furnival, and sir John Peckham, whom they appointed treasurers at war, with orders to account for their receipts and disbursements in the next parliament.

The next year the commons granted one fifteenth, and continued the subsidy of wool, leather, tonnage and poundage for a year longer; but, like the other parliament, they allowed Henry only six thou-

sand pounds for his own use, the rest being all appropriated to public service.

The parliament which met in his ninth year, at Gloucester, granted a fifteenth and an half, and continued the usual subsidies for two years longer; but it was on condition that he neither asked nor took any other fifteenth or subsidy during that term.

In a parliament, which met on Monday, the twenty-seventh of January, 1410, at Westminster, Walsingham says that Henry required the consent of the clergy and laity to the grant of a tenth by the former, and a fifteenth by the latter, every year, for his life, to save them the trouble of meeting annually for that purpose; but his demand was rejected.

In his twelfth year he procured a tax upon landed men, at the rate of a noble on every man or woman who had rents to the amount of twenty pounds a year, and more or less in proportion to their estates, besides a continuance of the subsidies yet standing, for a year longer.

Of the PUBLIC REVENUES, &c.

EDWARD III. raised money by the usual methods; besides which the laity at one time granted him one half of their wool throughout the kingdom, and the clergy nine marks for every sack of their best wool. The amount of this subsidy is not calculated; but it is on record, that the king in one year exported to Brabant ten thousand sacks of wool, which sold there for forty pounds sterling per sack, a proof, that the chief commerce of the country consisted in the exportation of wool. He had also a subsidy of forty shillings per sack on wool, granted by parliament for three years, and amounting by computation to sixty thousand pounds per annum: a duty on hides: a pole tax at four pence per head: and an assessment on every parish of twenty-three shillings and four pence per parish throughout England.

Richard II. lived on the ordinary revenues of the crown at the beginning of his reign, as scutage, tallage, &c. to which was added, a mark on every sack of wool, and six pence on every pound of foreign merchandize. Also, to ease the commons,

the nobility levied a considerable subsidy among their own body: towards the end of this unfortunate prince's reign, the usual aids on moveables and from the clergy were levied.

Henry IV. was allowed tonnage and poundage, viz. two shillings on every tun of wine, and eight pence on every pound of merchandize, which, under different modifications, has continued a branch of the royal revenue ever since. In the eighth year of this king's reign a grievous tax was imposed on the people without distinction, but of so particular a nature, that, lest it should be made a precedent, all the accounts and books concerning it were burnt as soon as the collection was ended; and it must have been very obnoxious indeed, since Walsingham, who lived in those days, and must certainly have known it, forbears to mention it, out of regard to the memory of this prince, in his history of his administration. After this we meet with nothing new relative to the revenue to the close of this period, but what may be gathered from the foregoing account of the taxes in each reign.

State of ARTS, SCIENCES, and COMMERCE, in the XIVth Century.

THIS century, like the preceding, furnishes very little matter for curiosity or admiration; some few improvements, indeed, were made, and some new inventions discovered: but, in truth, it is almost miraculous that this period should furnish any, if we consider the uncivilized manners of these two centuries, and the little harmony to be found in society amidst the thunder and ravage of civil and, still more horrid, religious wars.

According to many authors, gun-powder and guns were, about the middle of this century, invented by one Schwartz, a German monk of Cologne, like many other considerable discoveries, by mere chance; for whilst Schwartz was preparing a pot of nitre for physical or chemical use, a spark of fire happened to fall into it, and caused the explosion of the whole mass; whereupon he made a composition of what we now call gun-powder, and

putting it into an hollow instrument of brass or iron, and setting fire to it, made such an explosion as he expected. Schwartz is said to have imparted this discovery the very same year (1330) to the Venetians, who are, by some authors, accounted the first who made use of ship-guns (the immediate consequence of the discovery of gun-powder), in a sea-fight with the Genoese, anno 1376, or 1380; but all historians seem to agree, that our Edward III. had some guns against the French at the battle of Cressy (the improbability of which we have already shewn in our account of that action) anno 1346, and therefore earlier than Venice; and also in the following year, at the siege of Calais. The French learned the use of them from the English, and Spain had them almost as early. Roger Bacon, a monk, and fellow of Merton college, in Oxford, who flourished towards the close of the thirteenth century,

ture, is said to have understood at least the theory of gun-powder, having, in one of his letters, observed, "that out of saltpetre, sulphur, and charcoal dust, he could make a fire to burn at what distance he pleased; and could cause thunder and lightning thereby, which could destroy cities and armies with a great noise." In the wars of Italy (according to Mezeray) they began to make use of such ponderous musquets, as took two men to carry them: they loaded them with round pebbles, and fired them upon a rest: these proved the destruction of men at arms, who before feared nothing but cannon. Bombs and mortars did not come into use till the seventeenth century. Travellers agree that the Chinese had the use of guns and gun-powder many ages prior to their discovery in Europe.

The art of weaving received a very considerable improvement during this period, by the great encouragement given to our woollen and linen manufactures by Edward III. and the two succeeding kings.

The art of painting began now to grow into esteem: it was chiefly performed on board and glass.

So ignorant were the people of this age in geography, that pope Clement VI. having granted to Lewis of Arragon the title of Prince of the Fortunate Islands (by which were meant the Canary Islands), and having, for his assistance in settling those isles, raised troops in France and Italy, our wise ambassadors then at Rome, and the rest of our countrymen there, being firmly persuaded that Lewis was thereby appointed prince of Britain, they immediately hastened home in disgust, to give information thereof.

In the year 1344, the first regular gold coins were struck in England; for in the fifth volume of the *Fœdera*, p. 403, we have a proclamation of king Edward III. acquainting the public that his parliament had agreed to the coining of three different coins in gold, viz. one piece of the value of six shillings, a second of half that value, and a third of a quarter.

About this time we find the first mention of an apothecary, in the person of one Couriſus de Gangeland, on whom Edward III. settled for life a pension of six pence per day, for his care and attendance on him when he formerly lay ill in Scotland. (See *Fœdera*, vol. v. p. 471.)

Some time in this century was invented the method of taking the contents of vessels of wine, brandy, ale, oil, vinegar, &c. by stereometry, or gauging.

The making of iron, and the manufacture thereof, was so much improved in England during this period, that it became prodigiously enhanced in price.

We meet with nothing in this century (nor, indeed, since the days of our king Alfred) that has the appearance of a spirit for maritime discoveries, save that we are told by Hackluyt, that, in the year 1360, one Nicholas de Linna, a friar of Oxford, who was a great astronomer, made several voyages to the most northerly islands of the world, the draughts of which he presented to Edward III. These voyages might possibly be as far as the Shetland isles, or perhaps to Iceland and the coast of Norway; a very great undertaking in those days.

The first mention we find of clocks made in England is in the year 1368. The invention of them is ascribed to Pacificus, archdeacon of Verona, who lived in the ninth century. Pancerollus thinks that clocks came in after the invention of bells; the exact time, however, is far from being known, so inaccurate are the historians of the middle ages, in recording inventions, however important.

Ship-building was in a very poor state during this period, the most capital vessels of war and defence not exceeding eighty tons.

In the seventh volume of the *Fœdera*, we have an article which shews the progress of the English manufactures at this time, and partly the fashions and usage of the age, and therefore we presume it will not be unacceptable to the inquisitive reader. It is a licence from Richard II. to the collector of the pope's dues, to export, custom-free, from Bristol (we may suppose for the use of his holiness) the following articles: "six pieces of green tapestry, powdered with roses (a present for his holiness.) One great green curtain of serge. Two white bancals of tapestry-work. Five pair of sheets for a bed. Six pieces of blue bed-curtains. One great coverlid for a bed, and six curtains for a chamber. Five pieces of red curtains, and four for ornament, for a chamber. Two great pieces of red serge for adorning a hall, worked with the arms of the pope, the king, and the church (this also probably a present). Two great bancals for the said hall, and a small piece of red serge. One piece of red and black cloth of tapestry. Five pieces of Irish cloth, one lined with green. Another mantle of mixed cloth, lined with green. One russet garment, lined with Irish cloth. One green cloth, for telling money upon. Three beds, with testers. A striped blue cloth, for a valet. One piece of blue cloth, of fifty ells. Sixteen ells of mixed colours, and six ells of blanket. One mantle of mixed colours, lined with beaver (for such, says Mr. Anderson, I guess the word Bayor to mean), with hood and cope lined. One blue mantle and upper tunic, lined with grey. Another garment, lined with calabrè (quere, what is meant by this?) One beaver for a furtout. One capellam (or bonnet), and one pair of gloves lined with grey. One pair of beaver gloves. One mixed-coloured coat, lined with blanket. Two round mantles, one mixed, the other black. One garment of Norfolk cloth lined with black, and another lined with green. One gipponum (possibly, says Mr. Anderson, a petticoat or gown, from the French word Jupe) of another form. Four strait coats of blanket. One entire robe, lined with syndonè (quere?) One violet hood, lined with scarlet. One piece of blue of ten ells, with towels and other kinds of linen cloth, &c. Thirty books, great and small, belonging to the said pope's collector. Certain alabaſter images of the Holy Trinity, of the Virgin Mary, and of St. Peter and St. Paul. Also many pewter vessels, brass candlesticks, basons, and lavatories. Also woollen gloves, stockings, and knives." From all which it is plain, observes the last-mentioned author, that we were even at this time greatly advanced towards perfection in sundry sorts of woollen goods, brass, and pewter manufactures, &c.

Towards the close of this century, playing-cards were first invented in France, for the diversion of their king Charles VI. who had fallen into a melancholy madness. This seemingly trifling invention has since

since proved a considerable article of commerce in every country of Europe, particularly our own; though it must be acknowledged, that the use of this amusement is become by much too general amongst us, to the ruin of many families amongst the lower as well as the higher class of people.

We shall close this article with an observation of Mr. Horace Walpole (in his *Anecdotes of Painting in England*), on the state of the arts in this age.

“It is no wonder, says he, that a proud, warlike, and ignorant nobility, encouraged only those arts which attested their dignity, served to display their wealth, or contributed to their security. They were magnificent without luxury, and pompous without elegance. Rich plate, even to the enamelling on gold, rich stuffs, and curious armour, were carried to excess; while their chairs were mere pedestals, their cloaths were encumbrances, and they knew no use of steel but as it served for safety or destruction. Their houses, for there was no medium between castles and houses, implied the dangers of society, not the sweets of it; and whenever peace left them leisure to think of modes, they seemed to think that fashion consisted in transfiguring the human body, instead of adding grace to it: while the men wore shoes so long and piqued, that they were forced to support the points by chains from their middle; the ladies erected such pyramids on their heads, that the face became the center of the body: and they were hardened to these preposterous inconveniencies by their priests, who, instead of leaving them to be cured by the fickleness of fashions, or the trouble of them, denounced God’s vengeance against what a little laughter and a little common sense had been more effectual sermons. It was not far distant from this period of which I am speaking, that the ladies wore looking-glasses about the same height with their bodies.—While we are curious in tracing the progress of barbarism, we wonder more that any arts existed, than that they attained any degree of perfection.”

What we have to say on the head of

COMMERCE,

During this æra, will be chiefly extracted from that excellent work of Mr. Anderson’s, lately published, in two volumes, entitled, *An historical and chronological Deduction of the Origin of Commerce, from the earliest Accounts to the present Time*: a work which, for its great utility and profound researches, stands unrivalled in any other kingdom.

In his character of the fourteenth century, he tells us this period was productive of very great improvements in naval commerce, and in the dimensions of shipping. The great king Edward III. of England attentively observing the vast benefits accruing to the Netherlands from their extensive woollen manufactures, the main material whereof they owed chiefly, if not solely, to his own kingdom, made him determine to attempt the removal of every obstacle for attaining the like benefits to himself and people.

Had this prince solely confined himself to the pursuit of the woollen manufacture, that great point would have been sooner and more effectually accomplished; but his eager desire of making the conquest of France deprived his kingdom of much wealth and people, and greatly checked the growth of commerce in this land. Nevertheless, though his towering project proved abortive, and that he

lived long enough to see all his great conquests in France ravished from him, the single town of Calais excepted, he also lived long enough to behold his more salutary scheme of the woollen manufacture generally established throughout England, though far short of that perfection to which it gradually arrived under succeeding princes. He also enacted a greater number and much better laws for the advancement of commerce, than all his predecessors had done. The silver coins of the two sister nations, England and Scotland, having been the same in weight, value, figure, and denomination, from time immemorial down to the middle of this century, whereby they mutually and freely circulated in both kingdoms to that period; but the Scots beginning now first to lessen the intrinsic value of theirs, still preserving the old denomination, England was at length obliged to prohibit their passing in payment. The livre, or pound, of France, which originally weighed twelve ounces of silver, or a pound troy, was, in this century, sunk to the sixth part of that weight, or to the sixth part of a pound sterling.

Although gold coins had been early in use among the ancient Asiatics, Egyptians, Greeks, and Romans, yet, from the overthrow of the Western Roman empire until near the close of the last, or beginning of this fourteenth century, we do not find any gold coins in use even in the free states of Italy, who doubtless had them the first of any part of Europe west of the Greek empire. In England, the first (current) gold coins were not struck till the year 1344. In this century, likewise, the foreign merchants were still hardly and impolitically treated, by means of the exclusive charters granted to London and other cities and towns. The ports of the eastern coasts of England had by this time fallen into a considerable trade to and with the Hanse Towns of Germany, and also to those of Prussia and Livonia, then the farthest voyages made by Englishmen, even long before England resorted to the countries within the Mediterranean sea. Next after London the city of Bristol made the greatest figure of any in England in commerce and shipping in all this century. This century furnishes us with many useful discoveries to commerce, namely, the islands of Madeira and the Canaries, which were not only discovered, but fully settled, and planted with vines and sugar-canes; and those islands have proved extremely assitant to the commerce of the several trading nations of Europe, both by their product and their commodious situation: so that did we think ourselves obliged to ascertain precisely a period to the times called the Middle Ages, we might possibly with some reason fix on the reign of the third Edward.

Scotland, we find, had commerce with the Netherlands from the very commencement of this century, and probably much farther back.

The invention of gutting and pickling herrings, was first discovered at the close of this century, as it is still in use; which invention has proved a great addition to the commerce of Europe, and more particularly to the Dutch. But now to descend to particulars.

Mr. Maddox, in his *Firma Burgi*, observes, that in the first year of Edward III. sundry incorporated trades were then existing in the city of London, as the taylor, armourers, skinner, goldsmiths, &c. Other trades were at various times incorporated, viz.

viz. the grocers (anciently called pepperers), anno 1345; the mercers, anno 1393; the salters, anno 1394. In the second of Edward III. a statute was passed, enacting, "that the staples, as well beyond sea as on this side, shall cease; and all merchants strangers and privy may go and come with their merchandize into England, after the tenor of the Great Charter." In the year 1331, the fifth of Edward III. we find in the *Fœdera**, the first step taken towards the great purpose of introducing the woollen manufacture into these kingdoms, in a letter of protection granted to John Kemp, of Flanders, a woollen-cloth weaver, to come over to exercise his trade in England, and to teach it to such of our people as should be inclined to learn; the king, by this writ, "taking the said Kemp, with all his servants, apprentices, goods, and chattels into his royal protection;" and promising the same "to all others of his occupation, as also to all dyers and fullers who shall incline to come and settle in England." In consequence of which seventy families of Walloons were this same year brought over to England.

And here it may not be improper, for the sake of some of our readers, to quote Mr. Anderson's remark on this famous subject, which has principally brought England to its present grandeur and opulence.

"When all our historians (says that curious author †) say that king Edward III. first introduced the woollen manufacture into England, what is properly to be understood thereby is, that he taught his people to make and dress fine woollen cloths, by means of the Netherlanders whom he invited over hither, which laid the foundation of that great manufacture, which England hath long since brought to perfection. Nevertheless, it must be allowed, that woollen cloth of some sort was always made in this nation ever since the Romans first brought our ancient British ancestors to the wear of cloth, instead of the skins of beasts; and that they left this art behind them. As for the times from the Norman Conquest downward, the making of one sort of woollen, and also of linen cloth in England, is past all doubt; and there was a fraternity or guild of weavers in London as far back as the reign of king Henry II. In the Magna Charta which king Henry III. was obliged to swear to, in the ninth year of his reign, anno 1225, there is the following article, viz. "That there be but one breadth of dyed cloth, ruffets, and haberjects, that is to say, two yards within the lists." Now, as we at that time certainly made cloth at home, this article must have related to that more than to foreign cloth; and this supposition is still farther corroborated, in that there is no mention, either in the Magna Charta article, or in the act of parliament anno 1328, of the cloth's being foreign or being imported.

In the year 1335, an act passed against exporting of corn, and importing foreign spurious money in imitation of the English.

In the year 1337, England had first a trade with Genoa; and the staple of English wool was removed from Flanders to Brabant; and many successive acts of parliament passed in the reign of the third Edward, for the improving the woollen manufacture in this country; and the city of Bristol was among the foremost to engage in this branch of commerce. The weight of a sack of wool, about this time, was four hundred and sixty-four pounds. The different values of wool were as follow: the wool of Shropshire bore the highest price, being fourteen marks, or nine pounds six shillings and eight pence per sack; Oxfordshire and Staffordshire, thirteen marks; Leicestershire, Gloucestershire, and Herefordshire, twelve marks (just eight pounds of our money); and the other counties descended in price to eleven, ten, nine, eight, seven, till it came to the lowest priced wool, which was that of Cornwall, worth only four marks, or about fifty shillings per sack.

About this time the city of Norwich began to be eminent in the worsted manufacture.

In the year 1348, the staple for wool, cloth, tin, lead, and feathers, was fixed at Calais.

In the twenty-fifth of Edward III. anno 1350, an excellent statute was passed for the absolute freedom of commerce, by which "all persons, as well foreigners as natives, may buy and sell by whole and retale, where, when, and how they please, paying the usual duties and customs;" an excellently well judged act, had it not been frustrated by the monopolizing grants obtained of the crown in the moments of its necessity.

Several treaties of commerce are to be met with in the course of this reign, with Spain (or Castile, as it was then called), Portugal, and the states of Italy; but no naval commerce from England to the states within the Mediterranean sea.

In the year 1353, the staple of English wool was withdrawn from Flanders, and settled in several cities in England, but the principal was at Westminster, which greatly occasioned the increase of that city: some remains of the place where this staple was kept, and particularly an old stone gate, fronting the Thames, were in being till the year 1741, when they were pulled down to make way for the abutment of the new bridge cross the Thames; and the place till that time retained the ancient name of the Wool-staple, as appears by the first act of parliament for erecting the said new bridge, anno 13 Geo. II.

In the twenty-eighth year of Edward III. we find in a record preserved in the Exchequer, the general ballance of the commerce of England for the said year, viz.

	£.	s.	d.
1. Exported from England, to all foreign parts, to the value of	294,184	17	2
2. Imported during the said year	38,970	3	6
3. The ballance gained by England this year	255,214	13	8
4. Which ballance multiplied by 3, the difference of the value of money then and now, gives the sum in modern sterling.			3
	765,644	1	0

The particulars of both exports and imports for the said year stood thus:

* See vol. iv. p. 564.

† Vol. i. p. 264.

EXPORTS.

	£.	s.	d.
1. 31,651 $\frac{1}{2}$ Sacks of wool, at 6 <i>l.</i> per sack; and 3,036 Cwt. and 65 fells, each cwt. being six score, at 40 <i>s.</i> per cwt. with the customs, &c. thereon, amounting to	277,606	2	9
2. Leather, with its customs	96	2	6
3. 4,774 $\frac{1}{2}$ Coarse cloths, at 40 <i>s.</i> per cloth; and 8,061 $\frac{1}{2}$ Pieces of worsted, at 16 <i>s.</i> 8 <i>d.</i> per piece,	16,226	18	4
4. Custom thereon,	215	13	7
Total exports (as above) with duties thereon,	294,184	17	2

IMPORTS.

	£.	s.	d.
1. 1831 Fine cloths, at 6 <i>l.</i> per cloth, with the customs,	11,083	12	0
2. 397 Cwt. 3 qrs. wax, at 40 <i>s.</i> per cwt. with the customs,	115	7	5
3. 1829 $\frac{1}{2}$ Tuns of wine, at 40 <i>s.</i> per tun, with the customs,	3,841	19	0
4. Linen cloth, mercury, grocery, and all other wares whatever,	22,943	6	10
5. Custom of the same,	285	18	3
Total imports as above	38,970	3	6

By this account, it appears that when England had but very small foreign commerce, we were rich in proportion to our neighbours, by selling so much more than we bought, even although we carried on such expensive wars with France and Spain.

In the year 1376, Calais was again made the only staple for English merchandize beyond sea.

By the *Chronicon Pretiosum* of bishop Fleetwood, we find that wheat sold, in the year 1379 (being the second of Richard II.) for four shillings per quarter (i. e. ten shillings of our money); white wine at six pence, and red wine at four pence per gallon: so that every thing else being proportionably cheap as these rates of wheat and wines, living then was at least four times as cheap as in our days.

Our maritime affairs were greatly neglected in the beginning of this reign, as may appear by the frequent descents, depredations, and burnings made by the French on our coasts, of which notice has been already taken in the foregoing part of this History.

In this same year we find the coal-trade from Newcastle to London first mentioned in the *Fœdera*, vol. vii. p. 220.

In the year 1381 we find bills of exchange first mentioned by act of parliament, which provides that money was not to be sent beyond sea in any other way.

In the ninth year of king Richard II. anno 1386, a guild or company of linen-weavers was first esta-

blished in London. In this year also a trade was established between England and Prussia.

The Kendal coarse cloths and west-country plain cloths are first mentioned in the thirteenth of Richard II. and their several dimensions settled. In the same year the staple was removed back from Calais to England, for wool, leather, lead, tin, butter, cheese, cloths, &c.

In the fifteenth of Richard II. we meet with what may be called a new act of navigation, by which "all English merchants were bound to freight only in English ships and not foreigners ships, provided the owners of the English ships take reasonable gains for the freight of the same."

The London historiographers inform us, that the house or magazine named Blackwell-hall, in London, was first purchased, in the year 1397, by the mayor and commonalty, for a market-hall for the sale of woollen cloth, as it hath remained ever since.

We might here, agreeable to the space of time we have included in this period of our History, proceed to an account of commerce under the reign of Henry IV. but we rather chuse to reserve it to make a part of our remarks on the succeeding period, which will just complete the transactions of the fifteenth century; and shall now proceed to close this volume with an account of

MANNERS and CUSTOMS in the XIVth Century.

IF we consider the almost continual state of warfare, either foreign or domestic, in which the people of this nation were engaged, by the ambition of their princes or that of their leading men, we shall not wonder at finding the manners of this and the preceding century so rude and uncivilized, and that this period furnishes us with so little matter worth transmitting to a curious reader.

In the times immediately preceding, and those which constituted, the fourteenth century, learning was in a manner unknown; and taste, more so: and the comparison of those ages with our own should fill us with a due sense of the happiness we now enjoy, and make us blush for the great propensity we have to admire and praise the past at the expence of the present.

In the second canon of a provincial synod held in the year 1342, by archbishop Stratford, at London, we meet with a picture of the clergy in those days, which is very entertaining, and serves to shew how very much they stood in need of reformation: it says, that "even men in holy orders scorn the tonsure (that is, the shaving of the crown of the head and the cutting of the beard and hair), that mark of perfection: they distinguish themselves with hair hanging down to their shoulders in an effeminate manner, and dress themselves rather like soldiers than clergymen, with a very short and wide upper tunic, long hanging sleeves not covering their elbows, their hair frizled and bepowdered, their caps with tippets of an enormous length, with their beards long, rings on their fingers, very large costly

costly girdles, purses wrought and enamelled with various figures and gilded sculptures, which hang, with knives like swords, in public view; their shoes very long, curiously pricked, and chequered with red and green; with cruppers to their saddles, cloaks furred at the edges, and baubles like horns hanging down the necks of their horses." After this picture of clerical effeminacy, we need not wonder if this body was singled out, both by their rulers at home, and by the court of Rome, as proper sponges to be squeezed on occasion, and, by their superfluous luxury, to supply the coffers of indigence or avarice.

The Xth canon of the same synod gives us as good an insight into the humours and manners of the common people of that age: it runs thus; "It is a devout custom of the faithful to observe night-watches in behalf of the dead, before their burial; and to do it sometimes in private houses, to the intent that the faithful, there devoutly meeting and praying together, may fervently intercede with God for the deceased; but, by the arts of the enemy of mankind, this devout custom has been perverted into buffoonery and revelling, prayers are neglected, and these watchings are become rendezvous for adulteries, fornications, thefts, and other misdeeds: as a remedy for so frequent a disgrace, we ordain, that when ecclesiastics have performed the Memories of the dead, none, for the future, be admitted to the accustomed watches in private houses, where dead corpses often remain till their burial (the relations, and such as say Psalters for the deceased, only excepted), under pain of the greater excommunication upon the offenders."

By this canon it appears, that two kinds of services were performed for the dead before the body was interred: one, called here the Memory, was properly the Exequies, and was performed immediately after the person expired; the other, called the Vigil, or Psalter, was divided into several portions, and was said in the night-time during the lying of the corpse above-ground.

Towards the middle of this century, says Echard, in his History of England, the English so gloried in the spoils of France, that there was scarce a woman of condition but could shew some rich furs and foreign furniture; and the English ladies began to pride themselves in the fashions of the French. Luxury now increasing, though yet in a rude and unpolished form, fine table-linen, gold and silver plate, and jewels were commonly seen in the houses of private persons. It is to be wished that this foolish and impolitic spirit of imitating foreign nations, and more especially France, did not still subsist amongst us, to the debasing of our understandings, and the impoverishing of numbers of our own industrious manufacturers.

By an act of parliament made in the twenty-fifth of Edward III. (anno 1350) appointing the stated wages of several sorts of artificers and labourers, master carpenters, masons, tylers, and other coverers of houses, were not to take more than three pence per day (or about nine pence of our present

money): and the then price of wheat being six shillings and eight pence (i.e. twenty shillings of our present currency) per quarter, being at least twice as cheap as in our days, and other necessaries near this proportion, then the said master mason's three pence was at least equal to our twelve pence per day: master masons of free-stone, four pence; and other masons two pence, and their servants three half-pence per day.

In these early times the bulk of the nobility and gentry had their town habitations within the city and liberties of London, properly so called, or at least near its respective bars or gates, as partly appears by the names of sundry streets within, and others very near the city, where formerly stood the palaces of many great lords and bishops, though they have mostly long since, and others lately, removed into the western parts of this now extensive capital. So many and surprizing are the changes which London and all other great cities of Europe have undergone in various periods of time! Who, for instance, that knows only the present state of that street in the city of London named Barbican, could well imagine that a prince of the blood-royal, and son to an elector of the German empire (prince Rupert, duke of Cumberland) should have, eighty years ago only, (viz. so late as the reign of king Charles II.) resided in that now mean and dirty street; and also the earl of Bridgwater the opposite side of that street; but his house was burnt down in 1683. the earl of Shaftesbury, &c. in Aldersgate-street; the dukes of Newcastle and Albemarle, the earl of Aylesbury, the lord Berkeley, &c. in Clerkenwell.

To a curious enquirer into customs and fashions of old times, the following particulars may not be disagreeable.

In the second of Richard II. one of the petitions of the house of commons to the king and peers, was, "that no knight or lady under forty pounds a year in land, do wear any precious furs, cloth of gold, ribbon of gold, or silk, on pain that they lose all that they have." This petition, however, was rejected as unreasonable. If the reader will compare this petition with the sumptuary statute of the thirty-seventh of Edward III. (to be found in p. 701, of this volume) it will give him a tolerable idea of the taste of those times for gaiety and finery of apparel.

In the *Fœdera*, vol. vii. p. 359, we have a receipt of king Richard II. to the city of London for his crown and jewels now delivered up, which he had formerly pawned to that city for two thousand pounds. The crown weighed upwards of four pounds weight of gold (now worth forty-four pounds each pound), and was adorned with diamonds, rubies, sapphires, emeralds, and pearls; as was also a gold-hilted sword, and many other gold trinkets, set with the like precious stones.

For what farther relates to the manners and customs of this age, we refer the reader to our quotation from Mr. Horace Walpole, at the end of our article of the State of the Arts and Sciences.

A TABLE of the SUCCESSION of PRINCES in those several Kingdoms of EUROPE, with which ENGLAND had the greatest Correspondence and Connexion, from the Accession of WILLIAM I. (commonly called the CONQUEROR) A. D. 1066, to the Death of HENRY IV. A. D. 1413. Comprehending a Series of Three hundred and forty-seven Years.

EMPERORS of the WEST.	KINGS of ENGLAND.	KINGS of FRANCE.	KINGS of SCOTLAND.	KINGS of DENMARK.	KINGS of SPAIN, or, as they were usu- ally called during this period, of CASTILE.	KINGS of PORTUGAL.	P O P E S.
HENRY IV. A.D. 1056	WILLIAM I. 1066 A.D.	PHILIP I. A.D. 1060	MALCOLM III. A.D. called Can- more, 1054	SWEYN II. A.D. 1046 HAROLD VII. 1074 CANUTE IV. 1076	N. B. Spain, till the XIIIth century, was of little or no confi- deration in Europe, being divided into fundry petty monar- chies, partly Moors, partly Christians, and therefore we take no notice of the succef- sion of its princes till that period.	ALEXANDER II. A.D. 1061 GREGORY VII. the famous Hildebrand, the first pope who rendered the Romish church so for- midable, 1078 VICTOR III. 1086 URBAN II. by birth a Frenchman; he published the crusades, contrived by his predecessor, 1087	
	WILLIAM II. 1087		DONALD Bane, or VIII. usurp- ed the crown, but was driven from it again, in less than a year, by DUNCAN 1093 DONALD Bane, again, 1095 EDGAR I. 1098	ERIC III. 1095		PASCHAL II. 1099	
HENRY V. 1106	HENRY I. 1100	LEWIS VI. surnamed le Gros, or the Fat, 1108	ALEXANDER I. furnished the Fierce, 1107	HAROLD VIII. or Nicholas, 1102		GELASIUS II. was thrown into prison by the opposite party, 1118 CALIXTUS III. finished the great process of the investitures, 1119	

LOTHARIUS	1125			DAVID I.	1126	ERIC IV.	1135	HONORIUS II.	1124
CONRAD III.	1137	STEPHEN	1135	LEWIS VII. or the Young,	1137			INNOCENT II. Almost all the elections were double in this age.	1130
FREDERICK I. furnamed Bar- barossa, duke of Suabia,	1152					MALCOLM IV. furnamed the Maiden,	1153	CELESTINE II. LUCIUS II. killed by a stone, fighting against the Romans, EUGENIUS III. obliged to take refuge in France.	1143 1144 1145
		HENRY II.	1154					ANASTASIUS IV.	1153
				PHILIP II. fur- named Auguf- tus,	1180	SWENO WALDEMAR I.	1155 1159	ADRIAN IV. an Englishman of low extraction,	1154
		RICHARD I.	1189			WILLIAM the Lion,	1165	ALEXANDER III. humbled the emperor Frederick Barbarossa, and Henry II. of England,	1159
HENRY VI. (his fon.)	1190							LUCIUS III. expelled by the Romans in	1181
PHILIP, duke of Suabia,	1197					CANUTE VI.	1185	URBAN III.	1185
OTTO IV. duke of Brunfwick; elected by pope Innocent III. in opposition to Philip,	1198							GREGORY VIII.	1187
		JOHN	1199					CLEMENT III.	1188
						ALEXANDER II.	1214	CELESTINE III.	1191
		HENRY III.	1216			WALDEMAR II.	1202	INNOCENT III.	1198
FREDERICK II. d. of Suabia, and k. of the Two Sicilies,	1218								
						HENRY I.	1214	HONORIUS III.	1216
						FERDINAND III.	1217		

Emperors.	Kings of England.	Kings of France.	Kings of Scotland.	Kings of Denmark.	Kings of Spain.	Kings of Portugal.	Popes.
A. D.	A. D.	A. D.	A. D.	A. D.	A. D.	A. D.	A. D.
CONRAD IV. 1250 to 1254	LEWIS VIII. 1223 (St.) LEWIS IX. 1226			ERIC VI. 1241			GREGORY IX. 1227 CELESTINE IV. 1241 INNOCENT IV. 1243 ALEXANDER IV. 1245
Interregnum to 1273 Alphonso X. k. of Spain, and Richard, d. of Cornwall, son to John, k. of England, were both elected in 1257; but are not reckon'd a- mong the Em- perors.			ALEXANDER III. 1254 to 1285	ABEL CHRISTOPHER I. 1250	ALPHONSO X. 1252		
EDWARD I. 1272	PHILIP III. 1270			ERIC VII. 1259			URBAN IV. was first a cobbler at Troye, in Cham- pagne, 1261 CLEMENT IV. 1264 GREGORY X. 1271
RODOLPH, count of Hapsbourg; ancestor of the ho. of Austria, 1273			Interregnum to 1291 Margaret, the daughter of E- ric, k. of Nor- way, being cho- sen queen, but died in her pas- sage over.		SANCHO IV. 1284		INNOCENT V. } all exalted, and died in the } 1276 ADRIAN V. } course of a year, JOHN XXI. } NICHOLAS III. of the house of Urfini, . . . 1277 MARTIN IV. 1281 HONORIUS I. of the house of Savelli, . . . 1285
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					ALPHONSO XI. 1312		

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A.D.	A.D.	A.D.	A.D.	A.D.	A.D.	A.D.	A.D.
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RODOLPH, marg. of Brandenb. & Bavaria, (only six months) 1409 SIGISMUND, br. to Wenceslaus, 1410 to 1413 and beyond.			JAMES I. 1406 to 1413 and beyond.	ERIC IX. 1412 to 1413 and beyond.	JOHN II. 1406 to 1413 and beyond.		

END of the FIRST VOLUME.

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